

No. 14418

United States
Court of Appeals
for the Ninth Circuit

BASILIKI ANDRE GIANNOULIAS,
Appellant,
vs.

HERMAN R. LANDON, as District Director,
Immigration and Naturalization Service, Los
Angeles District, Appellee.

Transcript of Record
In Two Volumes

Volume II
(Pages 47 to 291)

Appeal from the United States District Court for the
Southern District of California,
Central Division.

FILED

NOV 19 1954

PAUL P. O'BRIEN,

CLERK

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Appeal from the United States District Court for the
Southern District of California,
Central Division.

United States of America
Department of Justice
Immigration and Naturalization Service

October 16, 1953.

CERTIFICATION

By Virtue Of the authority vested in me by Title 8, Code of Federal Regulations, Section 2.1, a regulation issued by the Attorney General pursuant to Section 103 of the Immigration and Nationality Act,

I Hereby Certify that the annexed documents are originals, or copies thereof, from the records of the said Immigration and Naturalization Service, Department of Justice, relating to Basiliki Andre Giannoulis, File No. A7 451 818, of which the Attorney General is the legal custodian by virtue of Section 103 of the Immigration and Nationality Act.

In Witness Whereof I have hereunto set my hand and caused the seal of the Department of Justice, Immigration and Naturalization Service, to be affixed, on the day and year first above written.

[Seal] /s/ H. R. LANDON,
District Director, Immigration and Naturalization
Service. [19*]

***Page numbering appearing at foot of page of original Certified Transcript of Record.**

United States of America
Department of Justice
Los Angeles, Calif.

WARRANT—DEPORTATION OF ALIEN

No. A7 451 818.

To: District Enforcement Officer, Los Angeles, California.

Or to any Officer or Employee of the United States Immigration and Naturalization Service.

Whereas, after due hearing before an authorized immigrant inspector, and upon the basis thereof, an order has been duly made that the alien Basiliki Andre Giannoulas, who entered the United States at Miami, Florida, on or about the 13th day of April, 1950, is subject to deportation under the following provisions of the laws of the United States to wit:

The Act of May 14, 1937, in that, at the time of entry, she was not entitled to admission on the preference—quota visa, which she presented upon arrival for the reason that such visa was obtained through fraud, in that she contracted a marriage to procure entry to the United States as an immigrant and failed or refused, after entry, to fulfill her promises for such marital agreement.

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney General under the laws of the United States

and by his direction, do hereby command you to take into custody and deport the said alien pursuant to law.

Appropriation, "Salaries and Expenses Immigration and Naturalization Service, 1954," including the expenses of an attendant if necessary.

For so doing this shall be your sufficient warrant. Witness my hand and seal this 31st day of July, 1953.

/s/ H. R. LANDON,
District Director. [20]

U. S. Department of Justice
Board of Immigration Appeals

July 9, 1953.

DECISION

File: A-7451818—Los Angeles.

In re: Basiliki Andre Giannoulis or Yiannoulis or Basiliki Fitsos, in Deportation Proceedings.

In Behalf of Respondent:

Robert S. Butts, Esquire, 6331 Hollywood Blvd., Hollywood 28, California; and

Robert T. Reynolds, Esquire, 1000 National Press Building, Washington, D. C.

(Heard September 18, 1952.)

Charges:

Warrant: Act of 1937 — Visa obtained by fraud—failure to fulfill marital agreement.

Lodged: None.

Application: Termination of proceedings or voluntary departure.

Detention Status: Released under bond.

This case is before us on appeal from a decision of the Acting Assistant Commissioner dated May 23, 1952, directing that the respondent be deported.

The respondent is a 41-year-old female, native and citizen of Greece, whose only entry into the United States occurred on April 13, 1950, at which time she was admitted for permanent residence upon presentation of a nonquota immigration visa, issued under Section 4(a) of the Immigration Act of 1924. In 1949, as a result of discussions between the respondent's brother and two other persons, George and John Fitsos, the latter proceeded to Nassau, Bahamas, and married the respondent there on March 27, 1950. John Fitsos testified (Ex. 11, p. 4) that the respondent's brother sent him a total of \$500 and he used this and \$700 of his own funds for the expense of bringing the respondent to the United States. The respondent and John Fitsos have not, at any time, had sexual intercourse with each other. John Fitsos regarded the civil [21] ceremony at Nassau as a valid marriage but, at the request of the respondent, it was agreed that consummation of the

marriage would be deferred pending a religious ceremony to be performed at Los Angeles, California. However, a religious ceremony was never performed.

John Fitsos filed a suit for annulment of the marriage in California, on May 18, 1950, and this suit was dismissed without prejudice at his request on September 14, 1950, (Ex. 8). The respondent filed a suit for divorce from Fitsos on September 8, 1950, in the State of Nevada, and she was granted a divorce the same day.

There is no substantial controversy regarding the facts set forth above. Counsel argued that the question involved was whether the parties had agreed that, in addition to the civil ceremony, there was to be a church marriage in Los Angeles, and he contends that John Fitsos, from the first, had no intention of proceeding with a religious ceremony. The testimony of John Fitsos is to the contrary (Ex. 13, p. 9), and since both Fitsos and the respondent state that it had been decided that a religious ceremony would be performed at Los Angeles, this matter is not one concerning which there is any dispute. The principal conflict in testimony is that the respondent states that John Fitsos subsequently refused to proceed with a religious ceremony as had been planned, whereas Fitsos asserts that he was willing, but that the respondent would not agree to the religious ceremony unless he gave her a \$5,000 checking account in her name, an automobile and a 5-family apartment house (Ex. 11, pp. 4 & 5).

We have carefully considered the testimony of the respondent, her brother and the witnesses produced by the Government. We note that the respondent's testimony (pp. 30 & 31), to the effect that about 1949 she was informed that her turn under the quota would soon be reached, is contradicted by Exhibit 14, which contains information from the American Embassy at Athens, Greece, that in that office alone there were 6,482 applicants ahead of her. We also think it is obvious that the respondent had been informed that an annulment of the marriage might lead to her deportation and that it was because of that factor that she instituted a divorce proceeding in another jurisdiction after the annulment proceeding had been commenced in California, by Fitsos. The respondent's denial that this was her motive (p. 34) impresses us unfavorably. From our review of the respondent's testimony, we find it to be unconvincing, particularly with reference to her assertion that she was willing to proceed with the religious ceremony and with respect to her denial that she made any pecuniary or property demands upon John Fitsos.

Fitsos testified that he considered the civil ceremony at Nassau, as constituting a valid marriage and that he was willing to consummate the marriage at that time. He spent approximately \$700 of his own [22] funds in connection with the respondent's entry into the United States. Although he had lived in Washington, D. C., for many years, he proceeded

to Los Angeles, California, a few days after his wife and he testified that the sole purpose of his trip to that city was in order that they might be married in a Greek church (Ex. 13, p. 10). After careful consideration of the record, we find that Fitsos went to Los Angeles for the purpose of being married to the respondent in a religious ceremony; that he remained willing to proceed with such ceremony until the respondent made certain financial demands upon him; and that the attempt by the respondent to impose these conditions amounted to a refusal on her part to fulfill her marital obligations and to proceed with the religious marriage ceremony. We conclude that the respondent married John Fitsos solely for the purpose of securing admission to the United States; that after her entry, she failed or refused to fulfill her promises for such marital agreement; and that she, therefore, obtained her immigration visa fraudulently. Accordingly, the respondent is deportable under the Act of May 14, 1937.

The record indicates that the respondent desires the discretionary relief of voluntary departure if found to be subject to deportation (p. 70). The Hearing Officer and the Acting Assistant Commissioner concluded that discretionary relief was not warranted and we concur in that conclusion. Under present regulations, we would not have jurisdiction to grant voluntary departure since the respondent has only resided in the United States since April 13, 1950. In view of the foregoing, we will dismiss the appeal.

Order: It is ordered that the appeal be and the same is hereby dismissed.

/s/ THOS. G. FINUCANE,
Chairman. [23]

Before the Board of Immigration Appeals

Oral argument: September 18, 1952.

In re: Basiliki Andre Giannoulis.

File: 7451818.

Board: Messrs. Finucane and Charles and Miss Wilson.

Heard: Robert T. Reynolds, Attorney, 1000 National Press Building, Washington, D. C.

Request: Voluntary departure.

Attorney: This is the case of a Greek woman who entered the United States as the wife of an American citizen and has been charged with having procured a visa by fraud. Counsel respectfully contends that the evidence and testimony of this record do not at all establish the existence of any fraud or any intent to defraud the Immigration officials or to circumvent the immigration laws.

This seems to be the evidence of an internal family squabble which concerned the family of John Fitsos, the husband of this alien, and her own family, including herself and her brother and her sister-in-

law. The alien is a member of the Greek Orthodox Church. Her American citizen husband was also a member of that church. It is well known to the Board that it is the custom of these people to be married in their church, often after or independently of a civil ceremony. Reflecting the fact that this is a custom and that the husband, John Fitsos, abided by this custom, it will be noted from the testimony that John Fitsos, who lodges the complaint against the alien, has married again, a Greek girl, and this time has had the marriage in the Greek church.

This was a marriage which was arranged by relatives; in other words, the alien's brother showed the prospective husband's brother a picture of his sister in Greece and gave some general description of her habits, character, et cetera; and then in New York showed the picture to the prospective husband. At one time during the testimony it will be discovered that the husband, John Fitsos, later felt himself to have been duped when he saw the original of the picture, claiming that it had been taken some ten years earlier; and I really feel that that and one other fact which was brought out in our examination of the husband here in Washington are the reasons that this matter was brought up at all.

John Fitsos was a single Greek man of some fifty some years, of some property, and he desired to take himself a wife, a person pretty much of his own background and customs and beliefs; and when the brother showed him this picture, he was quite well

taken with her [24] and entered into correspondence with the girl, as a result of which it was finally agreed that they would be married—in the Bahamas, I believe, Nassau—and there the testimony seems to differ. Fitsos insisted that it was a marriage, so far as he was concerned, and that he had no particular desire or intent to marry her later, and didn't care whether he married her later or not—and in fact did not—it will be noted that the same Fitsos, when he married the second time, which was immediately after this—as immediately as possible after this matter was ended by divorce—did marry in the Greek church.

The alien has insisted that it was agreed at all times that they would be married in Los Angeles, where her brother and John Fitsos' brother resided, and that when he brought her to the United States, she went immediately to Los Angeles and he went up to New York to see his sister, who was married to still a third person of Greek ancestry. This is a very interesting thing; because he went to New York to see his sister and brother-in-law, as the latter—a Mr. Smyrnis—was leaving for Greece and there were some business affairs to be settled before Smyrnis left from Greece. Smyrnis went to Greece, and went to a small city, the name of which I have forgotten, and whether or not he made this arrangement we could not bring out in talking with Mr. Fitsos, but it's quite coincidental that when Fitsos went to Greece, he went to the very city to which his brother-in-law, Smyrnis, had gone, and there married a girl whom he had not known before, and

in a city he had never visited before but I had no power to force Fitsos to admit that this arrangement had been made during the time of his marriage to this alien; but the possibility and the coincidence exists.

Fitsos says that after he came to Los Angeles, his wife refused to see him and wouldn't go through with the Greek Church ceremony unless he provided her with a large amount of goods. She on her part says it isn't so, that he never made any effort to arrange for a Greek marriage, and he himself at one time admitted that he never even went to see a Greek priest there in Los Angeles; that he never provided her any home to live in in the United States, not even a hotel room; and I think she said he never gave her as much as \$2.

I fail to see how the testimony of Fitsos is entitled to any greater weight than the testimony of his wife. Yet the decision of the examining officer seems to be rested solely on that and finds the testimony of the wife to be prejudicial, I believe, in one place.

Chairman: The marriage, of course, was not consummated.

Attorney: The marriage was never consummated; that's entirely correct. But it was terminated by a divorce. An annulment proceeding was begun—

Miss Wilson: Who instituted that, she or he? [25]

Attorney: He instituted an annulment proceeding, and she began a divorce proceeding. He dropped his annulment proceeding.

Chairman: This charge is predicated on the

usual language in the statute that the visa was procured through fraud in that the alien failed or refused after entry to fulfill her promises for such marital agreement.

Attorney: Well, I don't think that she did, and it's our contention that she did not.

Chairman: She did fail to proceed with a normal marital relationship; that's clear. Then the issue is, was it because of her wilfulness or was it because of the attitude her husband took? That's what it comes down to, isn't it?

Attorney: Well, I believe it comes down to a question whether they agreed that there should be a church ceremony following the civil ceremony. I know it is customary with the Greek people to do that. And she stood at all times ready to go forward with that, and he refused to. That's her position. His position is that she demanded a large, something akin to a dowry, I suppose, which is sort of a reverse matter, before she would marry him in the Greek church. He is unable to state that he ever even approached a priest to arrange a marriage, or that he ever offered her a place to live.

Chairman: I assume that would be more or less useless if she wouldn't marry him without a large sum of money.

Attorney: If that was true.

Chairman: It really comes down to whether you are going to believe his story or her story.

Attorney: That's correct.

There were no further questions.

Form G-28
(Rev. 4-26-46)

U. S. Department of Justice
Board of Immigration Appeals and
Immigration and Naturalization Service

Date: Sept. 18, 1952.

In re: Baskiliki Andre Ginnoulis.

File Number: 7451818.

I hereby enter my appearance as attorney for (or representative of):, or as associated with, the attorney of record, and my appearance is at his request.

(Check appropriate item, if applicable) :

(X) 1. I have been admitted to practice before the Board of Immigration Appeals and the Immigration and Naturalization Service:

(X) Attorney.

* * *

/s/ ROBERT T. REYNOLDS,
Attorney. [27]

7 451 818

August 14, 1952.

Robert S. Butts, Esquire,
6331 Hollywood Boulevard,
Hollywood 28, California.

re: Butts:

Baskiliki Andre Giannoulis

Thursday, September 18, 1952.

Atty. Robert Reynolds. [28]

Date: June 9, 1952.

(Show date of mailing)

NOTICE OF APPEAL TO THE BOARD OF IM-
MIGRATION APPEALS, DEPARTMENT
OF JUSTICE, WASHINGTON 25, D. C.

In Re: Basiliki Andre Giannoulis.

File No: A-7451818.

I desire to appeal from the order of the Com-
missioner of Immigration and Naturalization, notice
of which I received on June 4, 1952.

I do desire oral argument before the Board of
Immigration Appeals in Washington, D. C.

/s/ ROBERT S. BUTTS,

(Signature of Respondent or
Representative.)

6331 Hollywood Blvd.,
Hollywood 28, Calif.

Note 1. Under regulations, oral argument before the Board of Immigration Appeals on an original appeal from an order of the Commissioner is a matter of right, and, on motions for reconsideration, it is within the discretion of Board of Immigration Appeals to grant oral argument (Title 8, Code of Federal Regulations, Sections 90.3, 90.4, 90.5, 90.11). Please indicate if oral argument is desired.

Note 2. If the appellant is in detention or has been denied admission to the United States at the Canadian or Mexican border, he will not be released from detention nor permitted to enter the country to present oral argument to the Board. In such cases, if representation is desired, the appellant should arrange for someone to present his case to the Board of Immigration Appeals. Unless arrangement is made at the time the appeal is taken, where representation is desired, the Board of Immigration Appeals will not calendar the case for argument.

ADJ-19-Field.

(2-1-49)

Atty. Butts,

Thursday, Sept. 18.

[Stamped]: File requested June 11, 1952.
Received June 11, 1952, Board of
Immigration Appeals. [29]

Law Offices
Peter F. Snyder
Robert T. Reynolds
1000 National Press Building
Washington 4, D. C.

June 11, 1952.

Hon. Thos. G. Finucane, Chairman,
Board of Immigration Appeals,
Apex Building,
Washington 25, D. C.

In re: A-7451818, Giannoulis, Basiliki A.

Dear Mr. Chairman:

Reference is made to the Central Office decision in the subject proceeding dated May 23, 1952, upon which appeal has been taken by Robert S. Butts, Esq., Los Angeles, California, attorney for alien.

It is respectfully requested that our interest in the subject proceeding in association with Attorney Robert S. Butts, be noted to the record, and that notice of docketing the matter for oral argument before the Board of Immigration Appeals be sent us also.

Your courtesy is appreciated.

Respectfully yours,

/s/ ROBERT T. REYNOLDS.

RTR:t

Copy to—

Robert S. Butts, Esq.,
6331 Hollywood Boulevard,
Hollywood 28, California.

[Stamped]: Received June 12, 1952, Board of
Immigration Appeals. [30]

Form 16-271
(Rev. 8-7-51)

United States Department of Justice
Immigration and Naturalization Service
Los Angeles 13, California

File No: A7 451 818 BP-H.

Date: June 12, 1952.

To: Commissioner, Washington, D.C.

From: District Director, Los Angeles, California.

Subject: Your file No. A7 451 818 WU Basiliki
Andre Giannoulis or Yiannoulis or Basiliki
Fitsos, Notice of Appeal to the Board of Im-
migration Appeals.

There is transmitted herewith, pursuant to 8 CFR
90.9(b), Notice of Appeal to the Board of Immigra-
tion Appeals in the above-entitled case.

The Notice of Appeal was filed within the time prescribed by regulation.

Attachment:

Received by Dept. of Justice, June 16, 1952.

Received by Warrant Unit June 18, 1952. [31]

ADJ-304

(4-28-52)

United States Department of Justice
Immigration and Naturalization Service

Appeal—15.

File: A-7451818—Los Angeles (A-7451818).

In re: Basiliki Andre Giannoulis or Yiannoulis
or Basiliki Fitsos.

May 23, 1952.

In Deportation Proceedings:

In Behalf of Respondent: Robert S. Butts, Esquire,
6331 Hollywood Boulevard, Hollywood 28, Cali-
fornia.

Charges.

Warrant: Act of 1937—Visa obtained by
fraud—failure to fulfill marital agreement.

Lodged: None.

Application: Voluntary departure.

Detention Status: Released under bond.

Discussion: Upon consideration of the entire record, including the exceptions taken, the findings relating to deportability made by the officer conducting the hearing are hereby adopted.

The facts and circumstances in this case do not warrant the exercise of any discretionary relief.

Order: It is ordered that the alien be deported from the United States, pursuant to law, on the charge stated in the warrant of arrest.

/s/ ELEANOR ENRIGHT,

Acting Assistant Commissioner
Adjudications Division.

RAV/fd

[Stamped]: Assistant Commissioner Enforcement Division, May 23, 1952. Signed and Forwarded. [33]

U. S. Department of Justice
Immigration and Naturalization Service

File: A7 451 818.

In re: Basiliki Andre Giannoulis or Yiannoulis,
also known as Basiliki Fitsos.

EXCEPTIONS OF RESPONDENT TO HEARING OFFICER'S DECISION

Discussion: The Hearing Officer has drawn inferences from the testimony most favorable to the Department's position and has elected to accept as

truthful the testimony of John Fitsos. An examination of the entire record conclusively establishes that the inferences drawn by the Hearing Officer are unwarranted by the evidence and further that the evidence given by John Fitsos is so inherently improbable as to tax the credulity. There is no question from the evidence that respondent and John Fitsos intended to contract a valid marriage and that they did so. The sole purpose of the marriage was to enter into the marital relationship and except for the unwarranted inferences of the Hearing Officer there is no evidence to the contrary. Respondent affirmatively testified that she desired and requested that the marriage be completed and consummated. It may reasonably be inferred from all of the circumstances that Fitsos' bride-to-be did not meet with his standards of beauty, but since he was in Nassau for the purpose of concluding the marriage he had no choice but to submit. He knew that he would have adequate opportunity to "stall off" the proposed Orthodox ceremony and that is precisely the scheme which he followed. There is no creditable evidence whatever in the record to support any conclusion other than the fact that respondent entered into the marriage in good faith, had every intention of being the wife of John Fitsos, but was deluded and defrauded by him. The good faith of the respondent throughout the entire matter is adequately supported by her testimony and by the testimony of her brother and to the contrary the bad faith of Fitsos is evidenced throughout the

record. Certainly if the respondent had been so bent upon entering the United States under fraudulent circumstances as is urged by the Hearing Officer, she would not have hesitated to have lived at least a little while with Fitsos after the marriage. If the respondent is so devious and villainous as is implied in the opinion she would not have hesitated to carry her deception a little further. The whole basis of the Hearing Officer's decision is suspicion and not evidence and even the suspicion is [34] ill-founded.

Clearly the deportation proceedings should be dismissed and there would, therefore, be no reason for the granting of discretionary relief although we are unable to determine the basis upon which the Hearing Officer decides that the case does not warrant the granting of such relief.

Findings of Fact

Respondent excepts to proposed Finding of Fact No. (3) and in lieu thereof proposes the following Finding of Fact:

That the respondent contracted a marriage with a citizen of the United States in good faith and with the full intention of fulfilling her marital vows and was at all times ready, willing and able to fulfill her promises for such marital agreement.

Conclusion of Law

Respondent excepts to the proposed Conclusion of Law of the Hearing Officer and urges the adoption in lieu thereof of the following:

That respondent is not subject to deportation upon any ground. That at the time of respondent's entry into the United States she was entitled to admission on the non-quota visa which she presented upon arrival. That such visa was not obtained through fraud. That the marriage between respondent and her American citizen husband was valid and not contracted for the purpose of securing an illegal entry into the United States.

Order

Respondent excepts to the proposed order and urges the adoption in lieu thereof the following:

That these proceedings be dismissed.

Respectfully submitted,

/s/ ROBERT S. BUTTS,

Attorney for Respondent.

May 12, 1952. [35]

16-404

5-21-51

United States Department of Justice
Immigration and Naturalization Service
458 South Spring Street
Los Angeles 13, California

Date: May 7, 1952.

File No. A7 451 818 HS

Registered Mail

Return Receipt Requested

Mr. Robert S. Butts,
Attorney at Law.
6331 Hollywood Blvd.,
Hollywood 28, Calif.

Dear Sir:

Reference is made to the hearing on April 16, 1952, in the deportation proceedings against Basiliki Andre Giannoulis.

Transmitted herewith is a copy of the Hearing Officer's Decision in the case, furnished in accordance with 8 CFR 151.5(b).

For consideration by the Commissioner of this Service in the case, you may submit to this office exceptions to the decision and supporting reasons for such exceptions, or you may waive this action. Your exceptions, with supporting reasons, if this action is taken, should be submitted to this office in duplicate on or before the expiration of five business

days from receipt of this letter. Upon receipt here, your communication, with the record of hearing and the Hearing Officer's Decision, will be forwarded to the Commissioner at Washington for decision in this case.

You will be informed in due course of the decision. Please notify this office promptly of any change of address.

Yours very truly,

H. R. LANDON,
District Director.

Encl. [36]

U. S. Department of Justice
Immigration and Naturalization Service
Los Angeles 13, California

May 7, 1952.

File: A7 451 818.

In Re: Basiliki Andre Giannoulis or Yiannoulis,
also known as Basiliki Fitsos.

In Deportation Proceedings.

On Behalf of Respondent: Robert S. Butts, Attorney at Law, 6331 Hollywood Blvd., Hollywood 28, California.

Charges:

Warrant: Act of 1937—Visa obtained through fraud, in that she contracted a marriage to pro-

cure entry to the United States as an immigrant and failed or refused, after entry, to fulfill her promises for such marital agreement.

Lodged: None.

Application: Voluntary Departure.

Detention Status: Released under \$1,000 bond.

Discussion: This record relates to a 39-year-old divorced female, a native and citizen of Greece, who entered the United States at Miami, Florida, on April 13, 1950, as a non-quota immigrant. The entry has been verified. She has stated that this was her only entry into this country.

According to the record she met and married one John Fitsos through arrangements made by her brother, Ted Geiannos, and one George Fitsos, the brother of the groom. The marriage took place in Nassau, Bahamas Islands, March 27, 1950. Subsequent to this marriage the respondent obtained the non-quota immigration visa which she presented at time of entry into this country.

It has been established for the record that the respondent filed a visa application with the American Embassy at Athens, Greece, in 1937, and again reapplied on September 10, 1947, at which time her name was reregistered as number 6483 on the non-preference waiting list. It is evident that even in 1950 respondent was a long way down on the waiting list. [37]

According to both the statements of the respondent and her husband John Fitsos, he was desirous

of consummating the marriage before arriving in the United States but bowed to the respondent's wishes that they not assume the man and wife relationship until after they were married in the Greek Orthodox Church in Los Angeles. John Fitsos has testified that even so he considered himself married and free to enter into the marital relationship. Upon arriving in the United States the respondent proceeded to the home of her brother in Los Angeles, California, while the groom went to Malone, New York, to take care of some business. He proceeded to Los Angeles some 10 days later and contacted the respondent and her brother. Both the respondent and the witnesses generally agree as to the facts up to this point, but they disagree as to the events thereafter.

The groom, John Fitsos, has testified that after arriving in Los Angeles the respondent refused to marry him by church ceremony or be his wife until he showed that he was in possession of certain monies, properties and established in business. His testimony as to these financial demands is corroborated by the testimony of his brother, George Fitsos. The respondent, on the other hand, has testified that upon arrival in Los Angeles John Fitsos was cool, indifferent and reluctant to enter into the agreements previously made. Her testimony is corroborated by that of her brother, Ted Geiannos, who acted as a go-between. John Fitsos has testified that he came to Los Angeles to keep his part of the agreement and it has not been shown that he came to Los Angeles for any other purpose. According

to the testimony of John Fitsos he entered into the marriage in good faith and it has not been shown that he had anything to gain other than a wife. On the other hand, the respondent had all to gain and nothing to lose. According to the record an immigration visa was not readily obtainable except as the wife of a United States citizen.

The respondent's testimony and that of her brother to the effect that she was willing to go through with the agreement is self-serving and unreliable. It must, therefore, be held that the respondent is subject to deportation as provided in the second paragraph to Section 3 of the Act approved May 14, 1937. This view of the facts is supported by the broad construction given to that paragraph in the opinion of the Solicitor of Labor, 55804/996 (May 22, 1940), wherein, after a discussion of the legislative history of the provision, it is stated:

“It is believed, therefore, that the following construction of the second paragraph of Section 3 is reasonably warranted: ‘When the marriage of a citizen to an alien results in the alien spouse being admitted to the United States under a non-quota or preference quota status, the alien's failure to continue to maintain and keep the marital status intact for some reason that is traceable back to the inception of the marriage and establishes the marriage to have been fraudulent from its very beginning, the alien spouse may be made the subject of deportation proceedings, provided, of course, that the purpose for which the fraud was perpetrated was solely to

fraudulently expedite the admission to the United States.' ”

(In the Matter of L.T.H., A6 714 677, 11/13/47, Int. Dec. 123.) [38]

The respondent divorced John Fitsos at Las Vegas, Nevada, on September 15, 1950. The respondent has accomplished a long-standing desire in gaining admission to the United States, but for the marriage ceremony which took place in the Bahamas on March 27, 1950, she would still be waiting the issuance of a non-preference quota visa. As a matter of fact, there has been no marriage and the respondent, if expelled from the United States, will have lost nothing that was not gained as a result of the marriage ceremony with John Fitsos on March 27, 1950. As a matter of administrative discretion the facts and circumstances in this case do not warrant the granting of discretionary relief.

Respondent has stated that in the event of deportation she desires to be deported to Greece.

Findings of Fact

Based upon all the evidence presented, it is found:

(1) That the respondent is an alien, a native and citizen of Greece;

(2) That the respondent last entered the United States at Miami, Florida, on April 13, 1950, as a non-quota immigrant under the provisions of Section 4(a) of the Immigration Act of 1924;

(3) That the respondent contracted a marriage to procure entry to the United States as an immigrant and failed or refused, after entry, to fulfill her promises for such marital agreement.

Conclusion of Law

Based upon the foregoing findings of fact, it is concluded:

(1) That under Section 3 of the Act approved May 14, 1937, and Section 14 of the Immigration Act of 1924, the respondent is subject to deportation on the ground that at the time of entry, she was not entitled to admission on the non-quota visa which she presented upon arrival for the reason that such visa was obtained through fraud, in that she contracted a marriage to procure entry to the United States as an immigrant and failed or refused, after entry, to fulfill her promises for such marital agreement. [39]

Order

It is ordered that the respondent be deported from the United States pursuant to law on the following charge:

The Act of May 14, 1937, in that, at the time of entry, she was not entitled to admission on the non-quota visa which she presented upon arrival for the reason that such visa was obtained through fraud, in that she contracted a marriage to procure entry to the United States

as an immigrant and failed or refused, after entry, to fulfill her promises for such marital agreement.

/s/ ALFRED E. EDGAR, JR.,
Hearing Officer.

Los Angeles, California, May 7, 1952. [40]

U. S. Department of Justice
Immigration and Naturalization Service
Los Angeles, California
Alien File No. A7 451 818

DEPORTATION PROCEEDINGS

Place of Hearing: Los Angeles, California.

Date of Hearing: January 4, 1951.

Persons Present:

Hearing Officer: Alfred E. Edgar, Jr.

Examining Officer: Richard L. Lay.

Greek Interpreter: Mr. John Christopoulos,
836 South Harper, Los Angeles 5, Calif.

Respondent's Counsel: Robert S. Butts, Atty.
at Law, 6331 Hollywood Blvd., Hollywood 28,
Calif.

Respondent: Basiliki Andre Giannoulis.

In the Case of:

BASILIKI ANDRE GIANNOULIAS or YIAN-
NOULIAS.

Hearing Conducted in the Greek Language and Re-
corded by Dictaphone.

Hearing Officer to Interpreter:

Q. Will you please stand and be sworn? Do you solemnly swear that you will correctly translate to the best of your ability all the questions and answers and material in this proceeding from English to Greek and from Greek to English, so help you God? A. I do.

To Respondent (Through Interpreter, throughout the proceedings):

Q. What is your name?

A. My name is Basiliki Andre Giannoulis.

Q. I now show you a warrant of arrest issued for Basiliki Andre Giannoulis, which was served upon her at Los Angeles, California, November 27, 1950, and ask you if you are the person upon whom this warrant was served? A. Yes, it is.

Q. Are you being represented by Mr. Robert Butts, who is present? A. Yes.

Q. (To Counsel): Is counsel ready to proceed with the hearing at this time?

A. No, counsel is not ready to proceed with the hearing at this time. I called Mr. Scallorn last night, in the late afternoon, and informed him of my circumstances and was informed by him that I should present the same circumstances to the Examining Officer and the Hearing Officer at [41] this time. Mr. Giannoulis, the brother of the subject, the immigrant named in this matter, consulted me for the first time at about 3:00 o'clock yesterday after

noon, showing me the notice which he had received of this hearing, or which had been addressed to the immigrant concerning this hearing, and the envelope in which the notice was enclosed was post marked December 28, 1950, at 7:30 p.m. Mr. Giannoulis stated that he did not actually receive the notice until he returned to his home day before yesterday, and first consulted with me yesterday afternoon; the first opportunity I had to talk to my client was this morning at 8:00 o'clock. I am informed by Mr. Giannoulis that he has previously written to Greece to obtain some correspondence which would be material to the defense of the defendant.

I have not had an opportunity to confer sufficiently or to assemble documents to properly defend the immigrant. In addition to that I previously had notice by subpoena to take a deposition in an action pending in the Superior Court, which deposition is scheduled to be taken at 10:00 a.m. this morning in the office of Mr. Smith, an attorney in the Rowan Building, and I must be present at the taking of that deposition at that time pursuant to the subpoena served. I will be perfectly content to have the matter continued over as short a time as even this afternoon, for the purpose of proceeding to a certain extent and then asking only for a further continuance to produce additional evidence on behalf of the immigrant.

Q. (Hearing Officer to Examining Officer): Do you have anything to say to that, Mr. Lay?

A. The Service has two witnesses that have, under considerable difficulty, appeared here for the

hearing this morning, and I would like to, under some procedure, secure their testimony at this time before any continuance of this hearing might be granted.

By Counsel: Couldn't we do that, Mr. Lay, as far as you are concerned, on any stipulation that you might desire to have from me relative to taking the testimony of those witnesses out of order? I don't know the proposed nature of their testimony, but if we could take them before taking her testimony, and then if we could get out, say, even by 10:15 so that I could be at the Rowan Building by 10:30, then we could continue the balance of it until such time as would be convenient to you.

Q. (Hearing Officer to Examining Officer): Well, Mr. Lay, do you think you could dispose of your two witnesses in half an hour?

A. I believe so. I am willing to take them out of order at this time if it is agreeable to all parties concerned. [42]

By Counsel: I would just like to impose that if things hadn't descended upon me without any opportunity to make other arrangements, I wouldn't do that.

Q. (Hearing Officer to Respondent): I have here this warrant of arrest which charges that you entered the United States at Miami, Florida, on April 13, 1950, and are subject to deportation from the United States for the reason that at the time of entry you were not entitled to admission to the United States on the preference quota visa which you presented, for the reason that such visa was

obtained through fraud, in that you contracted a marriage to procure entry into the United States as an immigrant and failed or refused, after entry, to fulfill the marital agreement. Do you understand this charge against you? A. Yes, I do.

Q. Will you please stand and raise your right hand and be sworn? Do you solemnly swear that all the statements you are about to make in this proceeding will be the truth, the whole truth, and nothing but the truth, so help you God? A. Yes.

Q. A copy of the letter addressed to you, dated December 28, 1950, is entered of record in this hearing and marked Exhibit 1.

A copy of the warrant of arrest which has been served upon you is entered of record in the hearing and marked Exhibit No. 2. Do you understand?

A. Yes, I do.

By Hearing Officer: You may proceed, Mr. Lay.

Q. (Examining Officer to Hearing Officer): Is it the arrangement of the proceedings here that the Government witnesses will be called at this time, or the evidence concerning them presented even though it may be out of order?

A. Yes, I believe that's the understanding.

Q. (Hearing Officer to Counsel): Is that agreeable, Mr. Butts? A. It is perfectly agreeable.

Examining Officer: Inasmuch as it is the desire of counsel for the respondent to expedite the proceedings this morning, I would like at this time to present for the inspection of counsel and respondent the original typewritten record of a sworn statement of one George P. Fitsos, who is identified [43]

in the statement as a brother of the ex-husband of the respondent here, and ask them to examine this statement, which I desire to introduce into the record of this proceeding as the testimony of the witness, who is available for cross-examination on the part of the counsel if he so desires.

Q. (By Counsel to Examining Officer): There are numerous objections which I desire to interpose to the various questions and to the answers in addition to motion to strike certain of the answers upon certain legal grounds, and I think it will probably be necessary to proceed as to each question and make a separate objection, because the objections to certain questions are different than they are to others, and the grounds for motion to strike as to certain answers are different than they are as to others.

What is your pleasure as to the procedure, Mr. Lay—for me to simply refer to the question by number and state my objection or my motion? I can number the questions as I go along and thus identify——

A. I would rather the Hearing Officer would decide what procedure he desires to be followed in order to make the record as clear as possible.

Q. (Hearing Officer to Examining Officer): Do I understand, Mr. Lay, that you are offering the statements of George P. Fitsos in evidence?

A. I stated to the counsel it is my intention to offer them, and to clarify the record. I at this time do offer the statements of George Fitsos, taken on

November 2, 1950, and November 7, 1950, for introduction into the record of this proceeding.

By Hearing Officer: Counsel may state his objections by reference to question number and the page number.

Q. (By Counsel to Hearing Officer): The respondent objects to the introduction of the two statements last referred to by the Examining Officer and for specific grounds of objections and with reference to question and answer by number, may I insert in ink in the border the number of the questions as I go along, Mr. Hearing Officer?

A. Yes, that will be satisfactory.

By Counsel: Objection is made to Question No. 12 appearing on Page 2 upon the ground that the question itself calls for hearsay. Motion is made to strike the answer upon the ground that the answer is hearsay and contains conclusions of the [44] witness.

By Hearing Officer to Counsel: Your objection is overruled, counsel, on that point.

Q. (Counsel to Hearing Officer): Is there a ruling on the motion to strike?

A. Motion denied.

By Counsel: Respondent next objects to Question No. 14 on Page 2 upon the ground that the question calls for hearsay, and move to strike the answer upon the ground that the answer consists of hearsay statements and conclusions of the witness.

By Hearing Officer: Your objection to that question is sustained, counsel, and your motion to strike it will be granted.

By Counsel: Respondent next objects to Question No. 15 on Page 2 upon the ground that the question calls for a conclusion of the witness and I move to strike the answer upon the ground that the answer is a conclusion of the witness and is based upon hearsay.

By Hearing Officer: Your objection to that question is also sustained and your motion granted, counsel.

By Counsel: Respondent's next objections to Question No. 16 on Page 3 upon the ground that the question calls for the conclusion of the witness, and move to strike the answer, upon the ground that the answer consists of a conclusion of the witness and is based upon hearsay.

By Hearing Officer: Your objection to that question is also sustained, and the motion granted.

By Counsel: The respondent moves to strike the answer to Question No. 18 upon the ground that there is no proper foundation to indicate personal knowledge of the events related by the witness and that the answer constitutes facts based upon hearsay.

By Hearing Officer: Your motion is granted, counsel. [45]

By Counsel: Respondent next moves—I will withdraw that—just a moment, please.

Respondent next moves to strike the answer to Question No. 20 upon the ground that there is no proper foundation shown of witness' knowledge of the matters therein related and that the matters therein stated are based upon hearsay.

By Hearing Officer: We'll deny that motion, counsel.

By Counsel: Respondent next moves to strike the answer to Question No. 22 upon the ground there is no foundation to show the personal knowledge of the witness as to the facts stated, and further upon the ground that the answer contains a conclusion, the conclusion of the witness.

By Hearing Officer: Motion is granted.

By Counsel: Respondent objects to the Question No. 29 on the ground that the question calls for hearsay, and moves to strike the answer upon the ground that the answer is based upon hearsay.

By Hearing Officer: The objection sustained and the motion granted.

By Counsel: Respondent next objects to Question No. 30 upon the ground that the question calls for the conclusion of the witness, and moves to strike the answer upon the ground that the answer consists of conclusions of the witness.

By Hearing Officer: The objection is sustained and the motion granted.

By Examining Officer: Exception.

By Counsel: Respondent objects to the Question No. 32 insofar as the question relates to her brother, Ted, and moves to strike the answer upon the ground that the answer consists of hearsay, there being no proper foundation to show that the facts therein stated were stated by the respondent, and it is indicated that those facts were stated by the witness' brother.

By Hearing Officer: The objection is sustained and the motion granted.

By Examining Officer: Exception to the ruling.

By Counsel: Respondent moves to strike the answer to Question No. 33 upon the ground that the answer is not responsive, and upon the further ground that it shows upon its face to be hearsay.

By Hearing Officer: Objection sustained and the motion is granted. [46]

By Counsel: Respondent objects to Question No. 34 as to form upon the ground that it calls for a conclusion of the witness. Respondent moves to strike the answer to Question No. 34 on the ground that it is hearsay, and contains conclusions of the witness.

By Hearing Officer: The objection sustained and the motion granted.

By Counsel: Respondent objects to Question No. 37 upon the ground that the question calls for a conclusion of the witness and moves to strike the answer on the ground that the answer is a conclusion of the witness.

By Hearing Officer: Objection sustained and the motion granted.

By Counsel: May we continue with the same sequence of numbering as to the second group of the statement so that the second will begin with Question No. 42?

By Hearing Officer: For the purpose of the record, the first question in the statement taken November 7, 1950, will be considered No. 42. Proceed, counsel.

By Counsel: Respondent moves to strike the portion of the answer to Question 53, beginning at the last line on Page 2 with the words "but before," continuing on Page 3 to the end of Question No. 53 on the ground that the answer is hearsay.

By Hearing Officer: Motion is granted, counsel.

By Counsel: Respondent objects to Question No. 54 upon the ground it calls for a conclusion of the witness and moves to strike the answer upon the ground that it is a conclusion of the witness.

By Hearing Officer: Objection sustained and motion granted.

By Counsel: Respondent moves to strike the answer to Question No. 56 upon the ground that it consists of hearsay.

By Hearing Officer: Objection is overruled, counsel, and motion denied.

By Counsel: That completes the questions in those two statements.

By Hearing Officer to Respondent: Now, with the exception of the questions and answers to which the objections have been sustained and the motions granted, the statement of [47] George P. Fitsos made at Los Angeles, California, November 2, 1950, will be received in evidence and marked Exhibit No. 3.

The statement made by the same person at Los Angeles on November 7, 1950, will be made Exhibit No. 4.

To Examining Officer: You may proceed, Mr. Lay.

By Counsel: May I interject, your Honor.

By Hearing Officer: Yes.

By Counsel: Do I understand, Mr. Lay, that Mr. Fitsos will now be produced for cross-examination?

By Examining Officer: If that is the desire of counsel.

By Counsel: I would like to ask him only very briefly.

By Hearing Officer: Very well. The witness is called.

GEORGE P. FITSOS

called as witness.

Hearing Officer to Witness:

Q. Will you please raise your right hand and be sworn? Do you solemnly swear that all the statements you are about to make in this proceeding will be the truth, the whole truth, and nothing but the truth, so help you God? A. Yes.

Q. Will you please state your full name and residence address, please?

A. George Fitsos, 5554 Carpenter Street, North Hollywood.

Q. (To Examining Officer): Mr. Lay, do you have any further questions by way of direct examination? A. No.

To Counsel: Your witness, counsel.

Q. (Counsel to Witness George Fitsos): Mr. Fitsos, are you a member of the Greek Orthodox Church? A. I am.

(Testimony of George P. Fitsos)

Q. And do you follow the religion of the Greek Orthodox Church? A. I do. [48]

Q. Do you know what the custom is with respect to members of the Greek Orthodox Church with regard to having a religious ceremony according to the Greek Orthodox rites before consummating a marriage by living together as husband and wife?

A. I don't exactly, no.

Q. Don't you know that it is a fact that persons who follow the Greek Orthodox religion as a universal custom do not live together as man and wife until they have consummated a marriage under the rites of the Greek Orthodox Church?

A. No, I don't.

Q. Did you ever hear Miss Gianopoulos state to your brother that she insisted upon their having a marriage ceremony according to the rites of the Greek Orthodox Church? A. If I hear who?

Q. Basilica Gianopoulos?

A. No, I don't know, I don't.

Q. Do you mean you don't know who I refer to?

A. No. I know who you refer to, no.

Q. Then is your answer that you don't remember whether she made that statement, or what is your answer?

A. What statement—will you repeat it?

Q. Did you ever hear Miss Gianopoulos state in the presence of your brother that she insisted that they participate in a ceremony under the rites of the Greek Orthodox Church? A. No.

Q. Did you ever hear your brother offer to en-

(Testimony of George P. Fitsos)

gaged in a marital ceremony with Miss Gianopoulos under the rites of the Greek Orthodox Church?

A. It was understood to come here and get married under the Orthodox Church. He asked them—he asked her to marry him under the Church in Nassau, and she did not agree. She didn't want to get married down there in the Greek Orthodox Church.

Q. Your brother told you that when they left Nassau, Bahamas Islands, that it was the plan of Miss Gianopoulos and himself to have a marriage ceremony in Los Angeles—

A. Yes.

Q. In the Greek Orthodox Church?

A. Yes.

By Counsel: I have nothing further. [49]

Q. (Hearing Officer to Examining Officer): Any further questions, Mr. Lay?

Q. (Examining Officer to Witness): Did you ever hear your brother state whether or not he was willing to go ahead with the wedding ceremony in the Greek Orthodox Church here in Los Angeles?

A. (By Counsel): To which we will object upon the ground of form of question and that it lacks foundation to show the presence of the respondent and therefore calls for hearsay.

By Hearing Officer: The objection is overruled.

Q. (To Witness): Will you answer the question, please?

A. The question was, if I heard my brother—

Q. (Examining Officer to Witness): Did you

(Testimony of George P. Fitsos)

ever hear your brother state whether or not he was willing to go ahead with the marriage ceremony—

A. Certainly he was. She come here for that purpose.

Q. The question was, did you hear your brother state his willingness? A. Yes.

By Counsel: We will move to strike the answer on the same ground of the objection to the question.

By Hearing Officer: The motion is denied.

By Examining Officer: I have no further questions of the witness.

By Counsel: I have nothing further.

By Hearing Officer: Witness is excused.

(Witness is called.)

Q. (To Witness): Will you raise your right hand and be sworn. Do you solemnly swear that all the statements you are about to make in this proceeding will be the truth, the whole truth, and nothing but the truth, so help you God?

A. I do. [50]

Q. Will you please state your full name and residence address, please?

A. Mrs. Lula May Fitsos, 5554 Carpenter, North Hollywood.

To Examining Officer: Proceed, Mr. Lay.

LULA FITSOS

Examining Officer to Witness:

Q. Of what country are you a citizen, Mrs. Fitsos? A. United States.

Q. How did you acquire that citizenship?

A. I was born here.

Q. Are you married or single?

A. Married.

Q. And what is the name of your husband?

A. George P. Fitsos.

Q. Are you acquainted with the respondent in these proceedings, Miss Basiliki Andre Giannoulis, who is seated on your left? A. Yes.

Q. Is she related to you in any manner?

A. Well, she married my brother-in-law, but she is divorced now.

Q. When did you first meet the respondent?

A. Oh, it was in April, sometime in April.

Q. Of what year? A. Last year.

Q. April, 1949? A. No, '50.

Q. 1950? A. Yes, that's right.

Q. Where did you first meet the respondent?

A. Well, her brother brought her to my home.

Q. Is that the home you are now residing in?

A. Mm-hmm.

Q. When did you first meet the brother-in-law of whom you speak, who you stated married the respondent?

A. Oh, I have known him—he was at my house in '26.

Q. 1926? A. Mm-hmm. [51]

(Testimony of Lula Fitsos)

Q. Where does that brother-in-law reside at the present time?

A. We heard from him a few days ago, and he was in Washington, D. C.

Q. Did you have any continuous contact with your brother-in-law prior to the time that you state he brought the respondent to your home?

A. Well, my brother-in-law didn't bring her. Her brother brought her.

Q. Oh, her brother brought her to your home?

A. Yes.

Q. Was your brother-in-law whom you identified as the ex-husband of the respondent at your home at that time? A. No, he wasn't.

Q. He was not at your home?

A. No. The first time they came he was not.

Q. For what purpose did the respondent and her brother come to your home?

A. Came to see us. She had just gotten here from the old country.

Q. That was immediately subsequent to her arrival in the United States, you mean?

A. I think so. I am not sure.

Q. And where was your brother-in-law at that time, if you know?

A. He was in New York.

Q. Had your brother-in-law mentioned the respondent to you in any respect or identified her to you in any way?

A. Well, I hadn't heard anything from him. He

(Testimony of Lula Fitsos)

wrote to my husband and they was married in Nassau.

Q. At the time the respondent came to your home in April, 1950, she was identified to you as the wife of your brother-in-law, is that correct?

A. Yes, that's right.

Q. Did your brother-in-law later meet the respondent at your home?

A. Yes, April the 30th was the first time. April the 30th, 1950.

Q. How long was that after the first occasion that the respondent came to your home?

A. Oh, I think it was about two weeks, as well as I remember.

Q. At the time of the second occasion of the respondent's visit to your home when your brother-in-law was there did you hear any marriage plans discussed?

A. The second time? [52]

Q. Yes.

A. Well, they talked in Greek, and I don't understand Greek, and don't speak it.

Q. During that visit then you did not know what they talked about—

A. No, I did not.

Q. In any manner?

A. No, I do not.

Q. Did the respondent subsequently visit in your home?

A. Well, they only was there three times, and that was three Sundays, straight in a row.

Q. During any of those three visits did you hear marriage plans of your brother-in-law or the respondent discussed?

(Testimony of Lula Fitsos)

A. No, because they always talked in Greek.

Q. Did your brother-in-law reside or live at your home during that three week's period?

A. Yes, he did.

Q. Did he at any time tell you in English any plans that he had for a marriage ceremony with the respondent?

A. Yes, he told me——

By Counsel: Now just a moment. The answer is Yes.

By Witness Lula Fitsos: Yes.

Q. (Examining Officer to Witness Lula Fitsos): And did he state that it was his intention to marry the respondent?

A. (By Counsel): To which we will object upon the ground that it is leading and suggestive and further upon the ground that it calls for hearsay and there has been no foundation shown of the presence of the respondent.

By Hearing Officer: The objection is sustained.

Q. (Examining Officer to Witness Lula Fitsos): During any of the—strike that—did your brother-in-law visit in your home prior to the time that he met the respondent there, which you stated was her second visit to your home?

A. Not for about 16 years. I hadn't seen him in about 16 years. [53]

Q. Was he in your home when the respondent came there the second time?

A. Yes, he was.

Q. How long had he been there?

A. He had been there just a couple of days.

(Testimony of Lula Fitsos)

Q. You have stated that on the occasion of the first visit he was in New York—is that correct?

A. Mm-hmm.

Q. When he came to your home did he state for that purpose he had come here to visit you?

A. (By Counsel): To which we will object on the ground that it calls for hearsay, there being no foundation shown of the presence of the respondent.

By Hearing Officer: Objection is overruled.

To Witness: Will you answer the question, please?

By Witness: Yes, he came here to get his wife, he said.

Q. (Examining Officer to Witness): And by his wife did you identify that person as the respondent here? A. Yes, yes.

Q. And how long did he stay at your home?

A. He was there 'til the last Thursday in June.

Q. Approximately one month or——

A. No, it was a little over two months.

Q. A little over two months?

A. Mm-hmm.

Q. Did he reside continuously in your home during that period of time?

A. Yes. He went to San Francisco, I think, one time, and was gone a couple of days.

Q. Did the respondent reside at your home at any time during that period of time? A. No.

Q. When your brother left your home, to where did he go, if your know?

A. To Washington, D. C. [54]

(Testimony of Lula Fitsos)

Q. Did the respondent in this proceeding here accompany him at that time, if you know?

A. No, she didn't.

Q. (Counsel to Examining Officer): Mr. Lay, I may have misunderstood, but I think you asked her in that last question if her "brother" went to Washington, D. C., and I am sure you were referring to her brother-in-law—I may be mistaken, but that's the way I heard it.

A. Thank you. I meant the brother-in-law, if I did state the "brother."

Q. (Examining Officer to Witness): And you understood the question as meaning your brother-in-law? A. Yes, that's right.

Q. On any occasion on which you have met the respondent—you stated that she was in your home on three occasions—did you at any time hear her make any conditions as to—that must be fulfilled prior to the completion of the marital agreement with your brother-in-law?

A. No, I didn't understand, because they was talking in Greek.

Q. And you—was the conversation that took place in your home in Greek interpreted to you by anybody at any time?

A. Yes. Now John told me——

By Counsel: Now just a moment. The answer to the question is Yes. We will object to any further answer without further questions.

Q. (Examining Officer to Witness): Did you on the occasion of any of the visits of the respondent

(Testimony of Lula Fitsos)

to your home have any arguments or trouble with her?

A. Well, I didn't have any trouble with her, but there was three of them, Ted, her brother, and his wife, and her, and they was arguing so for three Sundays straight the last Sunday that they was there I ordered them out.

Q. By "them" who do you mean?

A. Ted Giannos, her brother, and his wife, and her.

Q. By "her" you mean the respondent?

A. Yes.

Q. You mean on the occasion of the last visit that you have mentioned you ordered the three of them to leave your home?

A. Yes, they was making such a racket in there and I wasn't going to have it in my home. [55]

Q. Did you inquire of any of the participants as to what the argument was about?

A. No, I didn't.

Q. Did any of the participants in the argument state to you what the argument was about?

A. Yes, her sister-in-law.

Q. The sister-in-law of the respondent?

A. Yes.

Q. And what is her name?

A. Ida Giannas.

Q. That is spelled G-i-a-n-n-a-s? A. Yes.

Q. And did this Ida Giannas tell you what the argument was about?

A. It was the next day.

(Testimony of Lula Fitsos)

Q. In what manner did you——

A. She called me on the phone to apologize for the way they acted.

Q. And did she make an apology to you for her actions in your home? A. Yes.

Q. And did she at that time state to you what the argument was about that caused the disturbance?

A. Yes.

Q. Will you state what Ida Giannas told you was the cause of the argument?

A. She said that——

By Counsel: Just a moment—to which we will object upon the ground that it calls for hearsay, and foundation shown that the respondent was not present at the phone conversation between this witness and the informant.

By Hearing Officer: The objection is overruled. We will admit the testimony.

Q. (To Witness): Will you state now what the conversation was about?

A. Well, she told me that John didn't have any money. I said, "He's got a little money." She says, "No, he hasn't." I said, "Yes, he has." And she said, "Well, he's got to put it on the table and show what he's got, because she's got to have security." And I said, "Well, he's got a little," [56] and she says, "Well, he's got to buy an apartment house and a home and a car and give her \$5,000." I says, "Well, he hasn't got that kind of money."

By Counsel: We will ask that the answer be stricken on the ground that it is hearsay.

(Testimony of Lula Fitsos)

By Hearing Officer: The motion is denied.

Q. (Examining Officer to Witness): Did she state for what reason or upon what conditions that it was necessary for John to have this money?

A. She didn't say. Oh, I think she said that she had to have security.

Q. By "she," who do you mean?

A. Ida—that Basil—that John's wife had to have security.

Q. This security was required for what reason—

A. I don't know.

Q. What was the condition resulting from the presentation of this security—if John presented this security, what was to be the results?

A. Well, she would marry him in the Greek Church—

By Counsel: Just a moment—just a moment. To which we will object upon the ground that the question is leading and suggestive.

Q. (Hearing Officer to Witness): Were you told by respondent's sister-in-law what the result would be if the security were present?

A. Yes.

Q. Well, what did she say?

A. That she would be married by the Greek—in the Greek Church.

By Hearing Officer: Counsel's objection is overruled. Proceed, Mr. Lay.

Q. (Examining Officer to Witness): By "she" would be married in the Greek Church, to whom are

(Testimony of Lula Fitsos)

you referring? A. John's wife.

Q. The respondent in this proceeding?

A. Yes, uh-huh. [57]

By Examining Officer: I have no further questions of the witness.

By Hearing Officer: Your witness, counsel.

Q. (Counsel to Witness Lula Fitsos): Mrs. Fitsos, as I understand, you first became acquainted with John Fitsos in about 1926—is that correct?

A. Yes, uh-huh.

Q. And then you maintained your relationship with him off and on over the years either by seeing him personally or through correspondence with you or your husband? A. Yes.

Q. And you mentioned that you hadn't seen him for about 16 years before his arrival in April of 1950? A. Yes.

Q. But you had had letters from him or your husband had had letters from him in that 16 years?

A. Oh, sure.

Q. And I suppose you had written him letters from time to time?

A. I hadn't, but my husband had.

Q. And when your husband would receive letters from his brother, John, would he read them to you?

A. Well, he would tell me what he said.

Q. And then would advise you that he was answering the letter? A. No.

Q. Did he ever tell you whether he answered his brother's letters? A. No.

(Testimony of Lula Fitsos)

Q. Did you ever see him write letters to his brother during that 16-year period? A. Yes.

Q. In any event, when John Fitsos arrived at your home some time in April of 1950 your relationship with him was quite friendly? A. Sure.

Q. And as I understand you had occasion to see the respondent on but these three successive Sundays? A. Yes. [58]

Q. And I believe you said that on each of those Sundays rather bitter argument ensued and the talk was loud to the end that on the last Sunday you asked her to leave? A. Yes.

Q. You did not speak Greek, I believe you said?

A. No.

Q. And you didn't understand Greek?

A. No.

Q. And as far as you know did she speak English? A. No.

Q. Do you know whether or not she seemed to understand English? A. I don't think so.

Q. So your relations with her were rather nominal because of your inability to converse?

A. That's right.

Q. And you never got particularly friendly or close to her? A. No.

By Counsel: I have nothing further.

Q. (Hearing Officer to Examining Officer): Any further questions, Mr. Lay?

A. Nothing further.

By Hearing Officer: The witness is excused.

It has been agreed here off the record between

counsel and Examining Officer and all parties concerned that hearing be continued until 9:00 a.m. February 8, 1951.

(Hearing continued.)

The respondent is at liberty under bond in the sum of \$1,000, residing at 813 South Mariposa Avenue, Los Angeles 5, California. [59]

I Certify the foregoing to be a true and correct transcript of the recording made of the testimony taken in the above case, to the best of my understanding.

/s/ CARON RHODES,
Stenographer.

I Certify that, to the best of my knowledge and belief, the foregoing record is a true report of everything that was stated during the course of the hearing, including oaths administered, the warnings given to the alien or the witnesses, and the rulings on objections, except statements made off the record.

/s/ ALFRED E. EDGAR, JR.,
Hearing Officer. [60]

United States Department of Justice
Immigration and Naturalization Service
Los Angeles 13, California

File No. A7 451 818

CONTINUED DEPORTATION HEARING

Date: February 8, 1951.

Place: Los Angeles, California.

Persons Present:

Alfred E. Edgar, Jr., Hearing Officer.
Richard L. Lay, Examining Officer.
Phyllis E. Wintroub, Stenographer.
Stephen Handras, Greek Interpreter.
Robert S. Butts, Attorney at Law.
Basiliki Andre Giannoulis, Respondent.

In the Case of:

BASILIKI ANDRE GIANNOULIAS or YIAN-
NOULIAS.

Hearing Officer to Interpreter:

Q. Please stand and raise your right hand and be sworn. Do you solemnly swear that you will accurately translate from English to Greek and from Greek to English, to the best of your ability, all questions and answers and other material in this proceeding, so help you God? A. I do.

(Testimony of Respondent.)

Hearing Officer to Respondent Through Interpreter:

Q. Are you the same Basiliki Andre Giannoulis who last appeared before me in deportation proceedings on January 4, 1951? A. Yes.

Q. Will you please stand and raise your right hand and be sworn? Do you solemnly swear that the statements you are about to make in this proceeding will be the truth, the whole truth, and nothing but the truth, so help you God? A. Yes.

Hearing Officer to Examining Officer: You may proceed, Mr. Lay.

Examining Officer to Respondent Through Interpreter:

Q. Are you the same Basiliki Andre Giannoulis who appeared before Inspector Gunther of this Service at Los Angeles, California, on October 27, 1950, and gave a sworn statement concerning your immigration status in the United States?

A. Yes.

Q. At this time I show to you and counsel a typewritten transcript of the statement identified as the sworn statement of Basiliki Giannoulis given [61] before Inspector Gunther as indicated above and ask you if that is a transcript of the statement you have just stated you made?

A. Yes, it is correct.

Q. Were all the answers you gave to the ques-

(Testimony of Respondent.)

tions as contained in this transcript true and correct to the best of your knowledge and belief?

A. It is the truth, yes.

Examining Officer to Hearing Officer: At this time I offer the transcript of sworn statement described here for introduction into the evidence in this proceeding.

Hearing Officer to Respondent Through Interpreter: Transcript of sworn statement made at Los Angeles, California, October 27, 1950, in this case is received in evidence as Exhibit No. 5.

Hearing Officer to Examining Officer: You may proceed, Mr. Lay.

Q. (Examining Officer to Respondent Through Interpreter): Do you still have the Greek Passport that was described in the statement now made Exhibit 5?

A. I have it but I don't have it with me.

Q. Are you willing to send the passport to this office for retention in our file during the continuance of this proceeding at the earliest possible date?

A. Yes.

Q. In Exhibit No. 5 you testified that you secured an immigration visa for entry into the United States at Nassau, Bahamas. At this time I show you Foreign Service No. 256a, Application for Immigration Visa and Alien Registration, stamped with Alien Registration No. 7451818 and bearing Serial No. I-619311 and ask you if that is your signature contained in that form on the bottom of the page identified as signature of applicant?

(Testimony of Respondent.)

A. Yes, this is my signature.

Q. And are you the person who furnished the information from which this form was completed on April 4, 1950?

A. Yes, the one.

Q. This form has been completed on the reverse thereof to indicate that Section [62] 4(a), Non-Quota Visa No. 182, was issued to the applicant at Nassau, Bahamas, on April 11, 1950, and was endorsed to show admission to the United States at the Port of Miami, Florida, on April 13, 1950, under Section 4(a) of the Immigration Act of 1924. Is that a true and correct record of your last admission to the United States?

A. Yes.

Q. And is that the one time you have ever entered the United States?

A. Yes.

Q. And for what purpose were you coming to the United States on the occasion of your admission on April 13, 1950?

A. To get married and remain here.

Q. Have you resided continuously in the United States since your admission on April 13, 1950?

A. Yes.

Q. There is attached to the form just identified by you numerous documents in support of such application. Do these attached documents all relate to you and your application for visa?

A. Yes.

Q. And is the marriage certificate attached thereto a true and correct record of your marriage to John Fitsos to which you testified in the statement now made Exhibit 5?

(Testimony of Respondent.)

A. I don't know if this is the one because he was the one who was getting all the papers.

Q. Will the interpreter translate the material contained in that document and will the respondent state whether those are true facts as relating to her marriage with John Fitsos? A. It is true, yes.

Examining Officer to Hearing Officer: At this time I offer the form described here, together with the attached documents, for introduction into the evidence in this proceeding.

Hearing Officer to Respondent Through Interpreter: Form 256a, Foreign Service, Serial No. I-619311, in the case of Basiliki Fitsos, nee Giannoulas, is received in evidence and marked Exhibit No. 6.

Hearing Officer to Examining Officer: You may proceed, Mr. Lay. [63]

Q. (Examining Officer to Respondent Through Interpreter): Are you now or have you ever been affiliated in any manner with any organization which believes in and teaches the overthrow of the Government of the United States by force or violence? A. Never.

Q. What organizations do you now belong to?

A. I belong to an organization of the Greek Orthodox Church.

Q. Is that the only one? A. Only one.

Q. What organizations have you in the past belonged to either in the United States or any other country? A. None.

Q. Have you ever been a member of the Com-

(Testimony of Respondent.)

munist Party? A. No.

Q. Do you believe in Communism?

A. No.

Q. Is your marital status still the same as that to which you testified before Inspector Gunther on October 27, 1950? A. It is the same.

Q. Do you have any children? A. No.

Q. Is there anyone in the United States dependent upon you in any manner for support and maintenance? A. From me, no, nobody.

Q. Are you employed at the present time?

A. Now I have employment. I am working in a home.

Q. For whom are you working and what is the address?

A. Mr. and Mrs. Gail Patrick Jackson, 203 La Brea Terrace, Los Angeles.

Q. What kind of work do you do?

A. Housework, housekeeping, ironing and washing.

Q. What is your average weekly income from this employment?

A. \$25.00 a week and room and board.

Q. How long have you been employed there? [64]

A. The last three months.

Q. Is that the only employment you have had in the United States?

A. This is the only employment.

Q. Other than this employment, how have you been maintained in the United States?

A. My brother was supporting me.

(Testimony of Respondent.)

Q. Have you ever been supported by charity or relief? A. No.

Q. Have you ever been confined in a hospital with any illness either physical or mental?

A. Never.

Q. What is the condition of your health at the present time as far as you know?

A. I am well.

Q. Are you able to travel? A. I am.

Q. What property or assets do you own in the United States?

A. In my bank, as I have deposited in my previous statement, I have \$2,000.

Q. And is that the only assets that you own in the United States?

A. No, nothing else. That's all.

Q. Do you own any property or assets in any other country? A. In Greece.

Q. What property or assets do you own there?

A. We have plenty real estate property.

Q. By we, of whom are you speaking?

A. Myself, my mother, and my brothers and sisters.

Q. Approximately what is the value of the real estate property, of your interest in real estate property, that you own in Greece?

A. I can't figure out what is the present value. I don't know the conditions, they're always changing.

Q. Do you know the value of your interest in the property at the time you left Greece?

(Testimony of Respondent.)

A. My share is less than \$2,000.

Q. Have you ever been arrested by the police or other similar authorities for [65] any crime or misdemeanor either in the United States or in any other country? A. Never.

Q. At this time I show to you and counsel Federal Bureau of Investigation Form indicating that a search of your fingerprint record on the basis of fingerprints furnished by this Service of you. They have no crime record in your case and I ask you if you are satisfied this record relates to you?

A. Yes.

Examining Officer to Hearing Officer: At this time I offer the form described for introduction into the evidence in this proceeding.

Hearing Officer to Respondent Through Interpreter: Negative Fingerprint Kick-Back from the Federal Bureau of Investigation in this case is received in evidence and marked Exhibit No. 7.

Q. (Examining Officer to Respondent Through Interpreter): In your sworn statement, which has been made Exhibit No. 5 in this proceeding, you testified that your ex-husband had at one time filed for annulment of your marriage to him. Do you know where this action was taken by your ex-husband, John Fitsos?

A. I don't know where he started the proceedings but he brought me home one day all the papers and he told me take this, get out of here, without giving me more explanation.

Q. At this time I show you certified photostatic

(Testimony of Respondent.)

copies of a Complaint for Annulment of Marriage, No. D398670, in the Superior Court of the State of California in and for the County of Los Angeles, showing John Petros Fitsos, Plaintiff, vs. Basiliki Andre Fitsos, with aliases, and ask you if you believe this record relates to the annulment proceedings to which you testified in Exhibit 5?

A. Yes, these are the papers.

Examining Officer to Hearing Officer: At this time I offer the certified copies of the record identified by the respondent for introduction into the evidence in this proceeding.

Q. (Counsel to Examining Officer): If we understand the purpose of this offer is limited to the purpose of proving the institution of the proceedings in question and not for the purpose of proving the truth of the allegations contained in the [66] papers. Is the offer so limited, Mr. Lay?

A. It is offered solely for the purpose of showing that the proceedings had been filed and were at one time pending and do not contain any proof on allegations; however, it is expected by this Service to produce further evidence pertaining to the material in this allegation and while this is not offered as proof of the allegations, it is offered as proof that the allegations were made.

No objection.

Hearing Officer to Respondent Through Interpreter: Certified copy of the record identified by Examining Officer and respondent received in evi-

(Testimony of Respondent.)

dence in this proceeding and marked Exhibit No. 8.

Hearing Officer to Examining Officer: You may proceed, Mr. Lay.

Q. (Examining Officer to Respondent Through Interpreter): Also in Exhibit No. 5 you testified that there had been instituted divorce proceedings regarding the marriage of yourself and John Fitsos at Las Vegas, Nevada. At this time I show you certified copy of Complaint for Divorce, Case No. 49887, Department No. 2, in the Eighth Judicial District Court of the State of Nevada in and for the County of Clark, filed September 8 at 9:47 a.m., 1950, showing Basiliki Andre Fitsos, Plaintiff, vs. John Petros Fitsos, Defendant, and ask you if that document relates to the divorce proceedings to which you testified in Exhibit No. 5?

A. Yes, this is the exact one.

Examining Officer to Hearing Officer: At this time I offer the described document for introduction into the evidence in this proceeding.

Hearing Officer to Respondent Through Interpreter: Certified copy of Complaint for Divorce described by the Examining Officer and identified by the respondent is received in evidence and marked Exhibit No. 9.

Q. (Examining Officer to Respondent Through Interpreter): At this time I show you a photostatic copy of a Decree of Divorce referring to the same Case Number and Department Number, the same Court, listing [67] the same plaintiff and defendant, and ask you if this is a true and correct

(Testimony of Respondent.)

record of the Decree of Divorce of yourself from John Fitsos to which you testified in Exhibit No. 5?

A. Yes, this is.

Examining Officer to Hearing Officer: At this time I offer the photostatic copy of document described here for introduction into the evidence.

Q. (Hearing Officer to Counsel): Counsel, this copy is not certified. Do you have a certified copy in your file? A. Yes, I do have.

Q. You are satisfied this is the same then?

A. Yes.

Hearing Officer to Respondent Through Interpreter: Very well. Photostatic copy of Decree of Divorce, identified by Examining Officer, is received in evidence as Exhibit No. 10.

Q. (Examining Officer to Respondent Through Interpreter): When did you first agree to marry John Fitsos?

A. When my brother came to Greece in September, 1949, and he told me about him.

Q. Had you ever seen John Fitsos prior to entering into this agreement?

A. I have never seen him before.

Q. Do I understand from your prior answer that this agreement was first suggested to you by your brother upon his visit to Greece in September, 1949?

A. Yes, he came with a picture of John Fitsos and introduced him to me in that picture.

Q. Between that time and the time you entered into the marriage with John Fitsos, did you correspond with him?

(Testimony of Respondent.)

A. Yes, we did correspond.

Q. Can you state approximately how many letters you received from him between the time your brother mentioned this agreement and the time you left Greece to enter into the marriage?

A. I received less than ten letters. I started corresponding with him after my brother came back here and he concluded the marriage transaction. In the meantime I was corresponding with my [68] brother.

Q. And how many letters did you write to John Fitsos approximately during that period of time?

A. I don't remember very well; about six or seven.

Q. In your letters to John Fitsos did you write about the marriage agreement? A. Yes.

Q. Was it decided by correspondence where you should meet to enter into this marriage?

A. Yes, we agreed we would meet in Bahamas but our marriage would take place in Los Angeles.

Q. Why did you believe it was necessary to meet in the Bahamas if your marriage was to take place in Los Angeles, California?

A. Because he could not bring me directly to Los Angeles.

Q. Was the purpose of going to the Bahamas in order that you might enter into a marital agreement there so that you might apply for admission into the United States as the wife of a United States citizen? A. Yes.

Q. Was the Bahamas the first place agreed upon

(Testimony of Respondent.)

between you and John Fitsos where you would meet and be married? A. Yes.

Q. Then was your sole purpose in going to the Bahamas for the purpose of entering into a marriage with John Fitsos?

A. Yes, this was the only purpose.

Q. How long were you in the Bahamas before you entered into the marital agreement as shown in Exhibit No. 6 with John Fitsos?

A. I don't remember; maybe one week, I don't remember. I left Greece the 19th, I arrived the 21st of March and the 27th was the marriage agreement entered.

Q. How long before the marriage on March 27th did John Fitsos arrive in Nassau, Bahamas, if you know?

A. He arrived in Nassau two days after I arrived myself; about the 23rd he arrived.

Q. And did you meet and talk with John Fitsos in Nassau prior to your marriage?

A. Surely. I also met and talked to him every day.

Q. During the period you were corresponding with him or talking to him in Nassau, was there any discussion as to the conditions under which the marriage would be entered into, that is, was there a discussion as to the home that he would furnish you after your marriage? [69]

A. We have both agreed by correspondence as well as verbally that we were going to get married and settle in Los Angeles.

(Testimony of Respondent.)

Q. By that do you mean that it was the agreement between the two of you that your future home in the United States would be in Los Angeles, California?

A. Yes, this is right.

Q. Was there any agreement prior to the marriage as to any property settlement; that is, was he to furnish you with any property, money, or anything in that nature as part of your marriage agreement?

A. He promised that he was going to give me a home in Los Angeles. I did not ask for the money.

Q. Did you ever at any time prior to the marriage to John Fitsos request that any certain sum of money would be placed in your name and at your disposal as part of the marriage agreement?

A. No, I did not ask anything.

Q. Did you ask that he purchase any property and place the deed to this property or title thereto in your name as part of the agreement?

A. No.

Q. Did you make any of these requests for money or property settlement after you entered into the marital agreement at Nassau, Bahamas, on March 27th?

A. No, I never asked him anything and he never even gave me \$2.00.

Q. At the time you left Greece to go to the Bahamas, was it your intention to then continue your journey and enter the United States to live following your marriage there?

(Testimony of Respondent.)

A. Certainly, yes. I was to follow my husband where he was going.

Q. And was it your understanding at the time you left Greece that your marriage to John Fitsos at the Bahamas would facilitate or make easier your entry into the United States?

A. He brought me to Bahamas in order to bring me from there to the United States.

Q. And did you believe that the purpose of your marriage in the Bahamas was to facilitate your entry into the United States as the wife of a United States citizen?

A. The purpose of my going to the Bahamas was mainly to get married. Myself, I was in Greece waiting for my regular quota to come to the United States.

Q. How long had you desired to come to the United States?

A. Fourteen years I have been waiting.

Q. At the time you left Greece did you believe that you would be able to enter the United States for permanent residence without entering into a marital agreement with a United States citizen? [70]

A. Certainly, yes. I had been waiting for my visa.

Q. Had you been notified that the visa would soon be available to you?

A. The American Consul in Greece had promised me that I was among the first to come to the United States and my visa was coming up.

Q. When did he promise you this?

(Testimony of Respondent.)

A. He has written me about it, the American Consul, and also he verbally told me so in December, 1949.

Q. Do you have any of your correspondence you received from the American Consulate concerning your visa application?

A. I don't have anything with me, probably in Greece.

Q. For what reason were you willing to enter into a marital arrangement with a person you had never seen?

A. By correspondence he brought me here. I don't know what to say.

Q. Did you enter into this marital agreement for the purpose of facilitating your admission into the United States?

A. No, I married him because I liked him as a husband and with the aim of getting married.

Q. At the time you married John Fitsos in the Nassau, Bahamas, was it your intention to live with him as man and wife following the marriage?

A. Yes, yes, yes.

Q. Why did you not live with John Fitsos as man and wife following your marriage on March 27, 1950?

A. Because this was against our religious beliefs and I have been waiting to get married in the Greek Orthodox Church.

Q. Did you regard the marriage ceremony at Nassau, Bahamas, as a legal and binding marital agreement upon you?

(Testimony of Respondent.)

A. Certainly, I did believe.

Q. Did John Fitsos, following the marriage ceremony on March 27, 1950, express to you a desire to assume the relationship of man and wife following that marriage?

A. No, he did not express any desire but he abided by the agreement we made with my brother that we were going to get married in the Greek Orthodox Church in Los Angeles.

Q. Why did you make an agreement to come to Los Angeles and get married in the Greek Church rather than getting married in the Greek Church in Nassau, Bahamas, immediately following the ceremony?

A. Because his relatives as well as mine were here in Los Angeles and we had nobody in Bahamas to assist in our marriage. [71]

Q. At any time prior to your arriving in Los Angeles, California, did John Fitsos express a desire to be married in the Greek Orthodox Church at any other place?

A. No, he didn't express a desire.

Q. Was this agreement between the two of you to be married in the Greek Church in Los Angeles arrived at prior to your leaving Greece or was it arrived at prior to your arriving in the Bahamas?

A. He wrote me in Greece and also when I arrived in Bahamas he repeated that we were going to get married in the Greek Church in Los Angeles. And we arrived Miami together and immediately he

(Testimony of Respondent.)

left for New York and he shipped me to Los Angeles.

Q. Which one of you first suggested the agreement that you would be married in the Greek Church in Los Angeles?

A. Himself. Myself. I don't know anything.

Q. At the time your brother mentioned this marital agreement on his visit to Greece in September, 1949, did he suggest or mention in any way the arrangement whereby you would be married in Los Angeles, California, in the Greek Church?

A. Fitsos wrote my family, to my brother, that he was going to meet me in Nassau and from there he was going to bring me and marry me in Los Angeles in the Greek Church.

Q. The question was, did your brother mention it to you at the time he visited you in Greece?

A. My brother did not know about it while he was in Greece but when he came back here he agreed with Fitsos and Fitsos wrote me.

Q. Did you at any time following the civil ceremony of marriage at Nassau, Bahamas, on March 27, 1950, refuse to assume a marital relationship of man and wife with John Fitsos?

A. I knew I was his wife.

Q. The question was, did you at any time following that ceremony refuse to assume the relationship of man and wife with John Fitsos?

A. From our marriage we have been here together but we are living in separate quarters and

(Testimony of Respondent.)

he never asked me nor I ever asked him for any conjugal relationship.

Q. Then your answer is that you never did at any time refuse to live with him as man and wife, is that correct?

A. No, I never refused him at all.

Q. After your arrival at Los Angeles following your entry at Miami, Florida, did John Fitsos come to Los Angeles? [72]

A. He came after one week. One week after my arrival.

Q. Following his arrival in Los Angeles, where you were then living, did you enter into a marital ceremony in the Greek Orthodox Church as stated you previously planned?

A. When he came to Los Angeles, he did not come to see me at all. He went straight to his brother. He saw me much later on.

Q. Did he contact you by telephone or in any manner upon his arrival in Los Angeles?

A. When he came he did not come to see me but when I heard he was in town I was calling him repeatedly over the telephone and even my brother was calling him to come and take me out. I was going with my brother to meet him and the one time he came was when he gave me the papers and told me, here, read them.

Q. Did you at any time in Los Angeles discuss with John Fitsos whether you would be married in the Greek Orthodox Church here?

A. I repeatedly was asking him, John, when are

(Testimony of Respondent.)

we going to get married in church, and he was telling me, we'll see about it, take it easy. In the meantime he was living with his brother.

Q. You have just testified that you could not contact him by telephone and that he refused to see you and that the only time you saw him was when he served papers of annulment upon you, how could you have repeatedly asked him when you were going to get married if you never talked to him?

A. I said that I was seeing him when I was going with my brother to see him, but he never came to see me except the only time when he brought me the papers.

Q. Where did you see him in company with your brother?

A. In his brother's home. I was visiting him together with my brother and my brother was begging him to come and take me out, but he never came.

Q. What is the name of the brother of John Fitsos in whose home these discussions took place?

A. George Fitsos.

Q. Was George Fitsos present at the time you and your brother had these discussions with John Fitsos?

A. Yes, George was present when we visited John in their house.

Q. And did he take part in these discussions that you had with John?

A. Yes, George was present when my brother asked John to take me with them. Once when they

(Testimony of Respondent.)

said they were going to Santa Barbara to take me with them.

Q. After your arrival at Los Angeles, did John Fitsos ever on any occasion express a willingness to go through the marriage ceremony in the [73] Greek Orthodox Church with you?

A. No, he never showed any interest. He didn't even come to see me.

Q. Did you ever on any occasion tell John Fitsos not to mention to other people that you had gone through a civil ceremony of marriage with him in Nassau? A. No, I never mentioned it.

Q. Were you at all times willing to assume the relationship of man and wife with John Fitsos following your marital ceremony in Nassau?

A. Certainly, yes.

Q. In your presence did your brother or anyone else ever make any demands upon John Fitsos as to property and money he should give to you before you would enter into a marital relationship with him as man and wife? A. No, never, nothing.

Q. Was the annulment proceedings, the record of which you have identified here, pending in the Los Angeles Court at the time you filed your Complaint for a Divorce in Las Vegas, Nevada?

A. He had started the proceedings and he brought me the papers and said to me, here, do what you want with them.

Q. Why did you file Complaint for Divorce in Las Vegas, Nevada, while the annulment proceedings were pending here in Los Angeles?

(Testimony of Respondent.)

A. When he took me the papers I took the papers to a lawyer and the lawyer told me that this fellow has abandoned you sister. The best thing for you to do is to get a divorce.

Q. Did the lawyer at that time advise you that if the annulment was granted it might have an adverse effect upon your immigration status in the United States?

A. No, the lawyer did not advise us anything like this. He only advised us that John Fitsos has abandoned me.

Q. Did you file a Complaint for Divorce in order to stop the annulment proceedings then pending in Los Angeles?

A. He started the proceedings and he served me with the papers.

Q. The record shows you started the proceedings at Las Vegas and the question was, did you start them for the purpose of stopping the annulment proceedings then pending in Los Angeles?

A. They have advised us that other people were going there and getting their divorce.

Q. (Hearing Officer to Respondent Through Interpreter): You have not answered the question. Please answer the question yes or no?

A. No. [74]

Examining Officer to Hearing Officer: Inasmuch as one John Peter Fitsos has previously been identified in this record as the ex-husband of the respondent and the other party to the marriage in question or in issue in this proceeding, I desire at

(Testimony of Respondent.)

this time to offer transcript of sworn statements identified as statements of John Peter Fitsos given at Washington, D. C., before an officer of this Service on September 14, 1950, and again on January 12, 1951, for introduction into the evidence in this proceeding.

Counsel to Hearing Officer: I have no objection to the introduction of these statements with, of course, the reservation for the opportunity by depositions or interrogatories to cross-examine the witness at Washington at a time to be set by the Service.

Hearing Officer to Respondent Through Interpreter: Subject to further identification by the witness through the taking of a deposition, which will also provide counsel an opportunity to cross-examine the witness, these statements are marked as exhibits for identification only and the statement, dated September 14, 1950, is marked Exhibit No. 11 and the statement taken January 12, 1951, is marked Exhibit No. 12.

Q. (Hearing Officer to Examining Officer): Do you have anything further to present, Mr. Lay?

A. In view of the counsel's request for the cross-examining, I have nothing further at this time.

Q. (Hearing Officer to Counsel): Counsel, before we go to the matters of the deportation, do you have any questions you would like to ask of the respondent here to clear up anything that has gone on up to this point?

A. I think not at this point. I would, however,

(Testimony of Respondent.)

at a later date when the evidence is in and particularly with respect to any additional testimony of Mr. Fitsos. I desire then to ask the witness certain questions in clarification and also in rebuttal but I think it would be more orderly to have it at a definite time if the Hearing Officer has no objection to that.

Q. (Hearing Officer to Respondent Through Interpreter): Is your mother still residing at Kato Kleitoria, Calauryta, Greece?

A. Yes, she still lives there. [75]

Q. Did you ever see John Fitsos at your home in Greece prior to your marriage?

A. No, never.

Q. What was the reason for meeting him in Nassau, Bahamas, rather than in your home town in Greece?

A. He never came to Greece to meet each other.

Q. What was the reason for his not going to Greece?

A. I don't know why he didn't come to Greece. He invited me from here.

Q. How long has your father been deceased?

A. Fifteen years.

Q. How were you supported in Greece prior to your marriage?

A. We have been living off our property in Greece. My brother was sending us also money.

Q. In your opinion was John Fitsos at any time indifferent to you following your marriage in Bahamas?

(Testimony of Respondent.)

A. He didn't show indifference until and up to the time he came to Los Angeles. Before that we was living all right.

Q. Do you have any explanation for his indifference to you after you both arrived in Los Angeles?

A. I don't know but I suspect his brother had some information on him because ever since he came to Los Angeles and my brother called Fitsos' brother by phone, Fitsos' brother never came to see me.

Q. The Attorney General may, in his discretion, grant to qualified deportable aliens certain privileges in relief from deportation. The first is the privilege of departing from the United States voluntarily at their own expense in lieu of deportation. The second is the privilege of departing from the United States in lieu of deportation with the additional privilege of pre-examination of their admissibility to the United States. In both cases, in order to prove that they are eligible, the aliens must prove good moral character for the past five years and pre-examination is only granted where the alien intends to make an application to an American Consul or officer in Canada for an immigration visa to immigrate to the United States for permanent residence. The Attorney General may also grant suspension of deportation to deportable aliens who prove good moral character for the past five years and, in addition, prove that their deportation would result in a serious economic detriment to a parent, a spouse, or a minor child, or establishes that they have resided

(Testimony of Respondent.)

in the United States for seven years or more and resided here on July 1, 1948. Do you understand?

A. Yes, I understand. [76]

Q. (Hearing Officer to Examining Officer): Now, Mr. Lay, do you have anything further to say?

A. No.

Q. (Hearing Officer to Counsel): Mr. Butts, do you?

A. No, I do not.

Hearing Officer to Respondent Through Interpreter: The hearing in this case will be continued to permit the taking of the deposition from one John Petros Fitsos in Washington, D. C., on a date to be determined by the Officer in Charge of this Service in that city. There will be a Hearing Officer there designated from the Immigration Service and an Examining Officer, and the respondent may be represented by counsel there or may be represented by the submission of written interrogatories. A reasonable advance notice will be given to the respondent and counsel as to the date, time, and place of the taking of the deposition.

Q. (Hearing Officer to Counsel): Is counsel in a position to state at this time whether he will be present there?

A. Yes, we will be represented. I will not be present but we will be represented. I don't know until I have talked with the respondent's brother whether it will be our regular counsel or whether it will be somebody that the brother selects, but there will be counsel present and if we can have as

(Testimony of Respondent.)

much as seven days' notice that will be adequate to have them arrange their case.

Q. Are you willing to advise this office as to who will represent the respondent in Washington, D. C., as soon as you have made the arrangements?

A. Yes, I surely will.

Q. Then we will be in a position to advise them and they can serve notice there in that event.

A. I will do that.

(The hearing is continued.)

I certify that, to the best of my knowledge and belief, the foregoing record is a true report of everything that was stated during the course of the hearing, including oaths administered, the warnings given to the alien or the witnesses, and the rulings on objections, except statements made off the record.

/s/ ALFRED E. EDGAR, JR.,
Hearing Officer. [77]

I certify that the foregoing is a true and correct transcript of my shorthand notes as taken by me in Books 102011 and 102009.

/s/ PHYLLIS E. WINTROUB,
Stenographer. [78]

United States Department of Justice
Immigration and Naturalization Service
Los Angeles 13, California
Alien File No. A7 451 818

CONTINUATION OF DEPORTATION
PROCEEDINGS

Place of Hearing: Los Angeles, California.

Date of Hearing: April 16, 1952.

Persons Present:

Hearing Officer, Alfred E. Edgar, Jr.
Examining Officer, Richard L. Lay.
Stenographer, Caron Rhodes.
Greek Interpreter, Mrs. Christine Bonos.
Respondent, Basiliki Andre Giannoulis.

In the Case of:

BASILIKI ANDRE GIANNOULIAS or YIAN-
NOULIAS.

Hearing Conducted in the Greek Language Through
Interpreter, and Recorded by Dictaphone.

Hearing Officer to Interpreter:

Q. Will you please stand and raise your right hand and be sworn, please? Do you solemnly swear that you will correctly translate to the best of your ability all the questions and answers and other material in this proceeding from English to Greek and from Greek to English, so help you God?

(Testimony of Respondent.)

A. Yes, I do.

To Respondent (Through interpreter throughout proceedings):

Q. Will you please stand and raise your right hand and be sworn. Do you solemnly swear that all the testimony you are about to give in this proceeding will be the truth, the whole truth, and nothing but the truth, so help you God? A. Yes.

Q. (To Examining Officer): Are you ready to proceed, Mr. Lay? A. I am.

Q. You may proceed.

Examining Officer to Respondent (Through interpreter throughout proceedings):

Q. Are you the same Basiliki Andre Giannoulis who appeared—who last appeared for a hearing in this office on February 8, 1951? A. Yes. [79]

Q. Have you been outside of the United States since your last appearance here on that date?

A. No.

Q. Have you been arrested by the police or similar authorities since that appearance?

A. No.

Q. What is your present residence address?

A. 4639 Saturn Street, Los Angeles 19. I work for Puritan Candies, 8988 Venice Boulevard, Culver City.

Q. What kind of work do you do there?

A. Cut candies and prepare them for packing.

Q. What is your average weekly income from your employment? A. \$35.00 a week.

(Testimony of Respondent.)

Q. How long have you worked there?

A. Five months.

Q. Is there anyone other than yourself in the United States at the present time dependent upon you for support and maintenance? A. No.

Q. Are there any material changes in your assets and liabilities since your last appearance here?

A. With my brother I have \$5,000 in the bank. I suppose it is a change.

Q. Do you mean that you have a joint account with your brother in the amount of \$5,000 now?

A. Yes.

Examining Officer to Hearing Officer: At this time I offer the deposition ordered by the Hearing Officer in this case on February 8, 1951, for introduction into the evidence in this proceeding. The deposition consists of typewritten Pages 1 to 29, inclusive.

I also request that Exhibit A of this deposition be recognized as a part of Exhibit 6, already a part of this record, and that Exhibits B and C of this deposition be recognized as Exhibits 11 and 12 of this record for identification purposes only, and that these Exhibits for Identification now be introduced into the evidence in this proceeding.

Counsel: Exhibit A is the marriage certificate. Can you tell me, counsel, without my going through the deposition what the other exhibits are that you referred to? [80]

Examining Officer: Exhibits 11 and 12 for identification were sworn statements of Peter Fitsos

(Testimony of Respondent.)

that were previously introduced for introduction on the basis of the deposition in Washington.

Counsel: I have no objection.

Hearing Officer: Very well. Deposition offered by the Examining Officer is received in evidence and marked Exhibit No. 13, and Exhibits 11 and 12 previously marked for identification are received in evidence then as Exhibits 11 and 12.

Q. (To Examining Officer): Anything further, Mr. Lay?

A. Yes, I have a few more questions of the respondent.

Q. Proceed; please.

Q. (Examining Officer to Respondent): You have previously testified here that you had been an applicant for an immigration visa for 14 years prior to your entry into the United States. Is that correct? A. I intend to stay here forever.

Q. I don't think you understood my question. You previously testified that prior to your coming to the United States you had been an applicant for a visa from an American Consul, and that application had been pending for about 14 years. Is that right? A. Yes.

Q. Where is the American Consulate located at which you had your application pending for a visa to enter the United States prior to your coming here? A. In Athens.

Q. In Athens, Greece?

A. In Athens, Greece.

(Testimony of Respondent.)

Q. Were you an applicant for a quota immigration visa? A. Yes.

Q. Under what name did you apply for a quota immigration visa in Athens, Greece, before the American Consul? A. Basiliki Giannoulis.

Examining Officer to Hearing Officer: In the prior record of this proceeding the respondent has testified concerning the availability of a quota immigration visa at the time of her last entry into the United States. At this time I offer for introduction into [81] the evidence in this proceeding an official communication signed by W. F. Kelly, Assistant Commissioner, Immigration and Naturalization Service, Washington, D. C., addressed to the District Director at this office, by which means there is forwarded copies of two documents. These documents attached thereto consist of a memorandum from the Department of State dated February 5, 1952, and a communication attached thereto from the American Embassy at Athens, Greece, dated January 25, 1952, relating to the status of the application of the respondent at that office for a quota immigration visa at the time she entered the United States on April 13th, 1950. (Shown to counsel.)

Counsel: I will object to the introduction of the documents upon the grounds that they are hearsay, and further upon the ground that they are incompetent to any material issues in this case.

Hearing Officer: Objection is overruled. The document offered by the Examining Officer is re-

(Testimony of Respondent.)

ceived in evidence and marked Exhibit No. 14. You may proceed, Mr. Lay.

Examining Officer: At this time I have no further questions of the respondent nor further evidence or witnesses to offer.

Q. (Hearing Officer to Counsel): Counsel, do you have any evidence to offer or witnesses to present?

A. Yes; at this time I should like to produce certain testimony from the respondent. May I proceed?

Q. You may proceed.

Counsel to Respondent (Through Interpreter Throughout Proceedings):

Q. Miss Giannoulis, are you acquainted with George Fitsos? A. Yes.

To Interpreter: Incidentally, Miss Interpreter, I want to mention that there are two Fitsos, George and John. So will you be sure to get the right first name when I ask a question?

Interpreter: Yes.

Q. (Counsel to Respondent): Did you ever make any statement to George Fitsos relative to a marriage ceremony between you and John Fitsos?

A. Yes. [82]

Q. Would you relate the statement or conversation which you had?

A. The conversation was to marry John Fitsos.

Q. Will you please, Miss Giannoulis, tell us any conversation, repeat any conversation, which you

(Testimony of Respondent.)

had with George Fitsos about a marriage ceremony between you and John Fitsos?

A. The agreement with George Fitsos was to marry John Fitsos at the Greek Church in Los Angeles.

Q. And did you have a conversation with George Fitsos in which what you have just related was said?

A. My conversation was with George Fitsos, at his house.

Q. Now, will you tell me what you said and what George Fitsos said about a marriage with John Fitsos?

A. My conversation with George Fitsos was to marry John Fitsos, his brother, at the Greek Church in Los Angeles.

Q. Now, did you ever tell Ida Giannas to call Lulu Fitsos in connection with your plan for marriage with John Fitsos?

A. I didn't say anything to nobody.

Q. Were you ever aware of a phone call between Ida Giannas and Lulu Fitsos in which Ida Giannas in speaking of John Fitsos said in substance and effect: "Well, he's got to put it on the table and show what he's got, because she's got to have security. Well, he's got to buy an apartment house and a home and a car and give her \$5,000"?

A. I didn't hear anything like that.

Q. Did you ever tell anyone that you had to have security before you would marry John Fitsos in the Greek Church?

A. I didn't say anything.

(Testimony of Respondent.)

Q. Do you recall having visited the home of Mrs. George Fitsos on three successive Sundays in 1950 shortly after you arrived in Los Angeles?

A. Yes, I did.

Q. Do you recall any discussions in which you were involved at the home of Mrs. George Fitsos on those Sundays?

A. The conversation was to marry John Fitsos in the Greek Church in Los Angeles.

Q. Who said that?

A. We both agreed with John—John and I agreed to marry each other.

Q. In the Greek Church at Los Angeles?

A. Yes. [83]

Q. And did the same kind of conversation occur on each of those three Sundays?

A. The same.

Q. Is there any custom in your native Greece with respect to arrangements for marriages of girls of a family?

A. Yes, we have.

Q. What custom is there?

A. Our custom is for the father or the brother of either side to match the marriage.

Q. Did you ever tell John Fitsos concerning your marriage in Bahamas: "That was no marriage; it was not even an engagement"?

A. I didn't say anything.

Q. Did you ever make that statement which I have just related?

A. My agreement was to get married in Los An-

(Testimony of Respondent.)

geles, on account that in Bahamas was Lenten period.

Counsel to Interpreter: Well, now, just ask her to listen to this question, and you put the question directly to her, and asked her to answer.

Q. (To Respondent): Did you ever tell John Fitsos that, "That was no marriage, it was not even an engagement"? Answer that yes or no.

A. I didn't say anything.

Q. Did John Fitsos ever ask you to have a Greek Orthodox Church ceremony in the Bahamas?

A. No.

Q. When you were in the Bahamas, was that any religious season?

A. It was Lenten period, before Greek Easter.

Q. Is there any custom in the Greek Orthodox Church concerning having marriages during the Lenten season? A. Yes, there is.

Q. What is the custom?

A. The custom, according to the Greek religion, is not to get married during Lenten period. [84]

Q. Did you ever tell John Fitsos in California that you did not consider the Bahamas ceremony as a legal marriage? A. No.

Q. Did you and John Fitsos ever spend a night in the same room at Nassau?

A. The first night that he came.

Q. Was that before you were married?

A. Yes.

Q. Did he attempt to have sexual relations with you on that occasion? A. No.

(Testimony of Respondent.)

Q. Did he attempt to get in the same bed with you?

A. He did attempt, but I resisted, because I wasn't married to him yet.

Q. And after that did he take a separate room by himself before you were married?

A. No, he stayed in the same room. The next night he went in a separate room.

Q. All right. Then did he stay in a separate room after the next night?

A. He went into a separate room, because I won't stand sleeping with this man in the room on account I wasn't married to him.

Q. Did he ever come back to spend a night in the same room with you before you were married after this same night?

A. No, because he agreed with my opinion to wait until we are married.

Q. Now, did John Fitsos ever sleep in the same room with you after your marriage in the Bahamas?

A. No.

Q. After you were married in Nassau did he try to enter your bed? A. No.

Q. Did John Fitsos suggest having sexual relations with you after your marriage and did you make a reply: "John, I want you to respect me until we go through the Greek Orthodox Church," to which John Fitsos replied: "O.K., I will get out. I will show you I am a gentleman"?

A. He agreed to wait to get married in Los Angeles and have sexual relations.

(Testimony of Respondent.)

Q. Do you recall having had a conversation with John Fitsos in Nassau of the same effect which I have just quoted, and if you wish I will requote it? Do you recall having had a conversation with John Fitsos in Nassau, and [85] please answer yes or no whether you had this conversation: "John, I want you to respect me until we go through the Greek Orthodox Church"? A. Yes.

Q. After John Fitsos came to Los Angeles following your ceremony in Nassau, did he telephone you at your home? A. Yes, he called me.

Q. Did you ever say to him on the telephone, "Don't say nothing to nobody we married in Nassau, Bahamas. Don't say it to any Greek that we stayed together in the Bahamas, because that was no marriage"? A. No.

Q. Did you ever say to John Fitsos in effect with respect to the proposed church wedding in Los Angeles: "We got lots of time to get married"? A. I told him we get married when he came.

Q. Did you ever say to him concerning the church wedding in Los Angeles: "We got lots of time to get married"? Answer yes or no.

A. When he came to Los Angeles, you mean?

Q. Yes. A. No.

Q. Did you ever ask John Fitsos to put \$5,000 in your name? A. No.

Q. Did you ever ask him to give you an apartment house for five families? A. No.

Q. Did you ever ask him to buy any furniture?

(Testimony of Respondent.)

A. No.

Q. Did you ever ask him to buy an automobile?

A. No.

Q. Did you ever tell him that if he did not do those things that I have just stated, "I won't marry you through the Greek Orthodox Church"?

A. No.

Q. Do you recall going for an automobile ride with John Fitsos a couple of days after he arrived in Los Angeles following your marriage in Nassau?

A. Yes. [86]

Q. And who was present in the automobile besides yourself and John Fitsos?

A. My brother and sister-in-law.

Q. Is that Mr. and Mrs. Giannas? A. Yes.

Q. Will you tell us as nearly as you can recall what each of those people said in that automobile ride concerning a marriage ceremony to be performed in Los Angeles?

A. Our conversation was to get married in the Greek Church, and they all agreed.

Q. Did John Fitsos ever ask you in Los Angeles to come and live with him as his wife?

A. No.

Q. Did you ever tell him, "I will never come to live with you except you put the requirements"?

A. No.

Q. Did John Fitsos ever tell you that you were his wife and that he would like to have sexual relations with you and live as man and wife?

A. No.

(Testimony of Respondent.)

Q. Did John Fitsos ever offer to provide a place where the two of you could live together?

A. No.

Q. Did you ever tell John Fitsos that you didn't want to live in an apartment? A. No.

Q. Did John Fitsos ever come to visit you in your brother's house in Los Angeles? A. No.

Q. Did you ever refuse to let John Fitsos come to your brother's house and visit you? A. No.

Q. Did you ever refuse to go out with John Fitsos and say, in effect: "I won't go out until you put the money and the furniture and the automobile"? A. No.

Q. Did John Fitsos ever ask you to go with him to Washington, D. C.? A. No.

Q. Did he ever tell you that he wanted to go to Washington and go in business and rent an apartment? A. No.

Q. Did you ever say to him in effect: "What are you going to do with me in Washington, put me in a warehouse, put me in a bad place"?

A. No. [87]

Q. When did you first hear of John Fitsos?

A. 1949 when my brother came to Greece.

Q. And did you first hear of John Fitsos from your brother? A. Yes.

Q. After that did you receive any letters from John Fitsos?

A. I received letters from him after my brother came to the United States in 1950.

Q. And did you write to him in response to let-

(Testimony of Respondent.)

ters he sent you? A. Yes.

Q. Over what period of time did your correspondence continue? A. One month.

Q. And about how many letters did he write you and how many did you write him?

A. I don't remember exactly, about four or five letters.

Q. And do you have with you in Los Angeles any of the letters which you received from John Fitsos?

A. I did not keep any of his letters.

Q. Do you have copies of the letters which you wrote to him? A. No.

Q. Please answer this question yes or no. Do you recall in substance what you told him in the letters you wrote to him? A. Yes.

Q. Now, do you recall generally what was contained in the letters which he wrote to you? Answer yes or no. A. Yes.

Q. Now, will you tell us in substance and effect in general what you said in your letters to John Fitsos and what he said in his letters to you?

A. He was writing to me that he saw my picture and that he wanted to marry me, and I was agreeing to that.

Q. What was your intention when you left Greece? A. To get married with him.

Q. And had you told that to Mr. Fitsos?

A. Yes.

Q. Now, please tell us in your own words generally what happened between you and John Fitsos from the time he arrived in the Bahamas until you

(Testimony of Respondent.)

were served with the annulment papers in Los Angeles, and stop as you go along so that the Interpreter can repeat your answer to the reporter?

A. He was agreeing to marry me until he came to Los Angeles. He came to my house to give me the papers for the divorce. [88]

Q. Well, now, will you please start in with the time when you met Fitsos in Nassau, and tell us everything that happened between you between that time and the time when you were served with the papers in Los Angeles, what you did, and what you said?

Examining Officer: I will have to object to the question, because I don't believe that a large majority of their doings have any bearing in this, and I would request that the interrogation be confined to information pertinent to this case.

Counsel: That's right, Mr. Lay. I will rephrase the question.

Q. (To Respondent): Tell us everything you did or said concerning the marriage in either Nassau or the proposed marriage in the Greek Church in Los Angeles between the time you first met him in Nassau and the time you were served with the papers?

A. My conversation with him was to marry him in the Greek Church, and it seems that he disagreed, therefore he brought the papers for a divorce.

Q. How long before you were married in Nassau was it that John Fitsos arrived there?

A. Two days before we got married.

(Testimony of Respondent.)

Q. Now, will you tell us in effect what you said and what John Fitsos said about your marriage in Nassau?

A. He said to marry me in Los Angeles.

Q. What did you say before you were married in Nassau about your marriage in Nassau, if anything?

A. We agreed to get married in Los Angeles and not in Nassau.

Q. Miss Giannoulis, will you please listen to my question, and answer the question I am asking you? Did you have any conversation with John Fitsos in Nassau about having any kind of a marriage ceremony in Nassau?

A. We didn't have any conversation regarding getting married in Nassau because I didn't know whether there was a Greek Church there or not.

Q. Did you have some kind of a marriage ceremony in Nassau?

A. We got married in Nassau legally.

Q. Now, before you got married in Nassau legally did you have any conversation with John Fitsos about that legal marriage?

A. Well, my conversation with Fitsos was to marry him religiously in the Greek Church in Los Angeles.

Q. Now, did you have any conversation in Nassau with him about getting married in a Greek Church in Nassau? A. No. [89]

Q. After you had had your marriage ceremony in Nassau, how long did you remain there?

(Testimony of Respondent.)

A. About three weeks.

Q. Did John Fitsos remain in Nassau during that entire three weeks? A. Yes.

Q. And did you see him and talk to him daily during that time? A. Yes.

Q. Where did you go from Nassau?

A. I came to Los Angeles, and he left someplace else; I imagine for Washington to go see his sister.

Q. Did you come directly from Nassau to Los Angeles without stopping anywhere?

A. He brought me out to Miami, and then put me in the plane for Los Angeles.

Q. And did he come from Nassau to Miami with you? A. Yes.

Q. How long did you remain in Miami before you left for Los Angeles? A. A half an hour.

Q. Were you admitted by the United States Immigration authorities in Miami?

Hearing Officer: Counsel, I think that's been established for the record here. We have the visa and the official record——

Counsel: All I want—I know she was there for more than a half an hour. That's the only thing I am trying to——

Respondent: We went to the Immigration office.

Q. (Counsel to Respondent): Did Mr. Fitsos go with you to the Immigration office?

A. Yes.

Q. And did he accompany you from the Immigration office to your plane? A. Yes.

Q. And did he tell you where he was going?

(Testimony of Respondent.)

A. He was going to his sister's.

Q. Did he say that? A. Yes.

Q. Did he say where his sister was?

A. In Malone, Washington. [90]

Q. And did he tell you whether or not he would later join you in Los Angeles?

A. He said he was going to come and see me immediately in Los Angeles.

Q. And did he say when? A. No.

Q. If John Fitsos had expressed a willingness to participate in a Greek Orthodox ceremony in Los Angeles, would you have done so?

A. Yes, I would have married him.

Counsel: Mr. Hearing Officer, I have here a check dated March 24, 1950, payable to Basio Giannoulia in the sum of \$100.00, bearing a signature Theodore Giannos, concerning which I should like to question the witness and have it marked for identification only at this time.

Hearing Officer: Very well, the check is marked for identification purposes then as Exhibit No. 15.

Q. (Counsel to Respondent): Miss Giannoulia, I show you the check I have just identified, and ask you if the signature Basio Giannoulia appearing on the back of that check is your signature?

A. No, it's not my signature.

Q. Does your signature appear anywhere on the back of that check?

A. This is not my signature, and I don't see any signature of mine on the back of the check.

(Testimony of Respondent.)

Q. Did you ever see that check while you were in Nassau, Bahamas?

A. I did see this check, but I never did put my signature on it.

Q. Did you see anybody put your signature on the check?

A. John Fitsos put my signature on it.

Examining Officer: I submit the answer is not responsive.

Counsel: Well, you are correct.

Q. (To Respondent): Did you see anybody put the signature of Basio Giannoulia on the back of the check?

A. I remember seeing him writing on the back of the check, but I didn't know.

Q. Will you answer yes or no, whether you saw anybody sign this name Basio Giannoulia on the back of this check?

A. No, because even if I did I wouldn't know it. I did see John Fitsos write something on the back of it. [91]

Counsel to Examining Officer: You may cross-examine the witness.

Examining Officer: I have no further questions of the respondent.

Counsel: May I then call Mr. Theodore Giannos as a witness on behalf of the respondent.

Q. (Hearing Officer to Counsel): Did you wish to further identify that check, counsel, before you offer it?

A. I am going to develop further evidence from Mr. Giannos.

Hearing Officer: Very well, then, witness is called.

Q. (To Witness): Before you are seated will you raise your right hand and be sworn. Do you solemnly swear that all the testimony you are about to give in this proceeding will be the truth, the whole truth, and nothing but the truth, so help you God? A. I do.

Q. Will you state your full, correct name?

A. Theodore N. Giannos.

To Counsel: You may proceed, counsel.

TESTIMONY OF THEODORE N. GIANNOS

Q. (Counsel to Witness): Mr. Giannos, I show you Exhibit 15 for identification, and ask you if you have ever seen that check? A. It's my own.

Q. Is the signature Theodore Giannos your signature? A. Yes, it's mine.

Q. And is the other writing on the face of the check your writing?

A. Yes, sir, it's my own handwriting.

Q. And when you wrote this check what did you do with it?

A. When my sister arrived in Bahamas I received a letter that no one was there to receive her, to greet her, and she told me how the weather was, it was very hot and so on, and I knew it was hot, so I immediately sent her a hundred dollars to buy the necessities of clothing.

Q. And how did you send it?

A. In check, in air mail envelope.

(Testimony of Theodore N. Giannos.)

Q. An air mail envelope addressed to whom?

A. Direct to my sister care of Klonaris, this man here, care of that agency, whatever it was. [92]

Q. And was that check ultimately paid by your bank and charged to your account? A. Yes.

Q. Are you familiar with your sister's handwriting? A. I am.

Q. Does the signature Basio Giannoulia appearing on that check appear to be in her handwriting?

A. Well, at that time I didn't know, but now I knew her signature more than I did then, because at that time my sister didn't understand any English at all, and I cannot tell if this is right or not. I asked her and she said she don't remember, and she don't think that she wrote it, endorsed the check.

Q. Now when did you first hear of John Fitsos?

A. In 1949.

Q. And from whom did you hear of him?

A. Through his brother, George Fitsos.

Q. Was George Fitsos employed at the same place where you worked? A. Yes.

Q. Where was that?

A. At the Brown Derby in Hollywood.

Q. And what were your respective jobs?

A. I am supervisor of the liquor department.

Q. And what was his job?

A. He is a waiter.

Q. Now did you have any discussion with George Fitsos concerning John Fitsos and your sister?

A. Yes.

Q. When did that take place?

(Testimony of Theodore N. Giannos.)

A. Along May or June, 1949.

Q. And where did it take place?

A. In the place where we worked and in his house.

Q. Was there anyone else present at that conversation besides yourself and George Fitsos?

A. No, no one.

Q. Will you tell us in effect what you said to him and what he said to you concerning John Fitsos and your sister?

A. In May I believe I gave my notice of leave of absence at the Brown Derby and I told them I was going to the old country, and everybody knew it, of [93] course, all the employees, and George Fitsos said that his brother was going over there also, and I know his brother, and I say "When and where is he?" so he told me he was in New York, not doing anything, and he's back there, and I said "What is he going over there for?" and he says "He's going to get married," so I said to him that I am going over there, and I have sisters, maybe we will get together and let him see my sisters, too, maybe that way he will marry one of my sisters, as long as he is going over there, and we make the trip together, so that suited him very well, and he says to me, "Well, how can we do that," so I said "I haven't got a picture of my sister except an old one," and I was interested in that because he told me that his brother intended to come to Los Angeles and live here, so I wrote to the old country to my sister to send me one of her

(Testimony of Theodore N. Giannos.)

pictures, without letting her know what I wanted it for, and I gave that picture to George Fitsos. George Fitsos sent that picture to his brother, and his brother answered back to George Fitsos and to me at the same time that he likes we get together and talk things over, as long as he is going over there.

Q. So then what did you do?

A. So I wrote him a letter and I said a certain day I will be in New York, I'm leaving, and I like to talk things over, a certain day I will be in New York at a certain place, and we can talk things over there, and then we got together that way, around September the 6th, I believe, 1949.

Q. Where?

A. In New York, in my sister-in-laws' house.

Q. And did you have a conversation then with John Fitsos?

A. Yes, I had a conversation.

Q. What did each of you say?

A. He said that he is not going over there because I am going, and the picture suits him well, and we will fix up and see what we will do, so I said to him "I cannot promise you anything until I go over there, and then I write to you about it," but I said "This picture is my sister, but what they think, if she still wants to come to this country, or maybe meantime she's married, I don't know, and I will write you a letter on what they think, I will explain the whole thing."

Q. Is that the substance of your conversation

(Testimony of Theodore N. Giannos.)

then with him on that occasion? A. Yes.

Q. Then did you go to Greece?

A. I left from there September 8th, 1949, and he stayed in New York, in Malone, New York, I believe.

Q. And when you arrived in Greece did you talk to your sister about John Fitsos?

A. Yes, I had his picture, and I talked with my mother and my sister, and the rest of the family in regards to what conversation took place with John Fitsos. [94]

Q. And did you show your sister John Fitsos's picture? A. Yes.

Q. And what did she say relative to the marriage?

A. She said to write him back and they agreed to get together and marry.

Q. And then did you return to the United States?

A. Not right then, but he sent me the papers, we agreed and he sent the papers through Canada, through the Canadian Embassy, for my sister to come through there because he had arrangements made to get married in Montreal.

Q. Did he tell you that?

A. Yes, in a letter, and my sister and everybody in the house agreed to that, to Montreal.

Q. Had you started any arrangements for your sister to go to Canada before Mr. Fitsos wrote you on that subject? A. No, sir.

Q. And he sent you papers, did he, to take to

(Testimony of Theodore N. Giannos.)

the Canadian Embassy in Greece? A. Yes.

Q. Did you do so?

A. The papers all went to the Canadian Embassy, did not come to me, only the letters came to me, that the papers are in line with the Canadian Government; when I got the letters I appear in the Canadian Government myself, in the Embassy, in Athens.

Q. And what did you do there?

A. Well, I inquired about it and I found the papers, and I was leaving at that time, because my time was up, and I asked the Consul there if my sister could leave with me as far as Gander, Newfoundland, and there she could proceed to Montreal, and I come to New York, pick him, and go to Montreal.

Q. And what did you learn?

A. The Canadian Government told me that the papers had not arrived yet and he don't know how long it will take place.

Q. Well, then, did you have any further dealings with the Canadian Government?

A. No, I left them, I came to the United States.

Q. Did you go to New York? A. Yes.

Q. Did you talk to John Fitsos there?

A. Yes. I sent him a cablegram from Greece that a certain day I will be in New York, again.

Q. And did you meet him then?

A. Yes. In my sister-in-law's house. [95]

Q. And did you have a conversation with him on that occasion? A. Yes.

(Testimony of Theodore N. Giannos.)

Q. And what did he say and what did you say on that occasion?

A. He told me as long as I could not bring her through Canada he would like some other source, some other way, and I say "I don't know what you can do."

Q. All right, what else was said, if anything?

A. I left then, I only stayed three days in New York; when he went to Malone, I came to Los Angeles.

Q. When did you next, if at all, hear from either John Fitsos or your sister?

A. A week later, a few days later, I had a letter from John Fitsos and he told me that there is an agency in Bahamas that you can bring Basio in, that's—pardon me, my sister, and I said "Well, I don't know."

Q. Had you ever had any dealings with the agent in Bahamas? A. No.

Q. Did you communicate with that agent in any way?

A. Only once. I wrote a letter to that and say "Take care of my sister until this man comes," you know, because he was delayed and I was worrying about it.

Q. Did you have anything to do with the negotiations with the agent for your sister to enter Bahamas? A. Not at all.

Q. Now after you had heard from Mr. Fitsos that he was going to make arrangements with the

(Testimony of Theodore N. Giannos.)

agent in Bahamas, did you hear anything further from your sister?

A. Yes, my sister wrote me—sent me a cablegram from Athens that a certain day was leaving for Bahamas, that everything was right, and they had corresponded, and she agreed to come to this country and leaving a certain for Bahamas.

Q. Now until you received that advice from your sister had you had any discussion with John Fitsos as to where your sister and Fitsos were to be married? A. Yes.

Q. When did you have that discussion?

A. Before—even before I went to leave for Greece.

Q. Now you say you had a conversation with John Fitsos in New York before you left for Greece concerning the marriage of your sister and where it was to take place?

A. In here in Los Angeles, to take place—while I was speaking to his brother George, but when he got the papers out and sent them to Canada the agreement was to get married in Montreal. [96]

Q. And then did you ever have any other conversation with him at a later date as to where the marriage would take place?

A. When my sister arrived in Bahamas and they talk things over he wrote me a letter and he says “We agreed, and we are going to meet in Los Angeles to have the ceremony in Los Angeles.”

Q. All right, and is that the first time that you

(Testimony of Theodore N. Giannos.)

had had any correspondence or conversation with Fitsos about a marriage in Los Angeles?

A. No, many times in his—with his brother and his sister-in-law.

Q. Were those conversations before or after she came to Nassau?

A. No, after he came to Los Angeles we had with his brother and sister-in-law.

Q. No, but I mean did you have any conversations at all with him before your sister came to Nassau about her getting married in Los Angeles, or did all of those conversations——

A. Only in correspondence.

Q. Now when your sister was in Nassau did you talk to either she or Fitsos on the telephone or did you confine your communications to mail?

A. In Los Angeles?

Q. When they were in Nassau and you were in Los Angeles? A. Only by mail.

Q. Now when your sister arrived in Los Angeles did she come to your home? A. Yes.

Q. Where were you then living?

A. 813 South Mariposa.

Q. Did you hear from John Fitsos at any time after your sister came to live at your house in Los Angeles? A. I had one letter, that is all.

Q. Where did that letter come from?

A. It came from Malone, New York.

Q. And what, if anything, did he tell you about your sister and himself?

A. He said that “I hope your sister arrived

(Testimony of Theodore N. Giannos.)

safely in Los Angeles and I will be there on my first opportunity.”

Q. Now did you have any discussions with George Fitsos concerning any proposed marriage ceremony after your sister arrived in Los Angeles but before Fitsos came here? A. Yes, we had.

Q. Where did those discussions take place?

A. I went into his house, and the place where we worked, because we worked eight hours and we had conversations constantly. I asked him if I can make [97] arrangements with the Greek Community Church and says “Wait until John comes,” you know, his brother.

Q. That was after your sister had arrived but before John arrived? A. Yes.

Q. Now after John arrived did you hear from him either in person or by telephone?

A. John arrived on April 27, and I was working, I think nighttime, and he called my house.

Q. Did you talk to him?

A. No, my wife called me at the place where I worked. I asked her where he stopped, and they told me the Rosslyn Hotel, and I called him up, but he was out, he wasn't there, I could not get a hold of him that night, but I left the message and I got a hold of him early in the morning.

Q. Did you call him or did he call you early in the morning?

A. I called him. I called in person, and picked him up.

Q. And did you have a conversation with him

(Testimony of Theodore N. Giannos.)

on that occasion about your sister's marriage?

A. Yes.

Q. Will you tell us what each of you said?

A. I went to the hotel I think around 9:30 or 10:00 o'clock in the morning and picked him up and took him over to my sister and my wife, and after they talked a while he said to me he has to go and shave, you know, and get his things together. I took him down to the hotel again after that, and I said "I'll be through at two o'clock in the afternoon. What shall I do, shall I pick you up?" "No," he says, "I'm going to my brother's," and he did, he went to his brother's in North Hollywood.

Q. Now while he was at your house during the time you first picked him up and the time he went back to shave did he and your sister in your presence have any conversation about a marriage?

A. This wasn't in the house at all. My sister and my wife had arrangements to go to a school Cambria School, and we got there about 11:00 o'clock in the morning.

Q. In the car?

A. No, in the school. I picked up Fitsos and we went to school and met his wife and my wife.

Q. And while you were at the school was there any conversation between John and your sister about marriage?

A. Yes—not then I don't think for marriage, but——

Q. Well, that's what I mean. A. No. [98]

Q. No conversation about marriage?

(Testimony of Theodore N. Giannos.)

A. No.

Q. Now after he had told you that he was going to his brother's when did you next see him or hear from him?

A. I called him the next day and made arrangements to go and pick him up and go out for a dinner on a Sunday, that was two days later, I believe it was.

Q. All right. Did you go? A. Yes.

Q. Where did you pick him up?

A. I picked him in his brother's house.

Q. Was your sister with you?

A. Yes, and my wife.

Q. Had he telephoned to you or to your knowledge had he telephoned your sister between the last time you had seen him and that Sunday?

A. Well, I understand that—he told me he called, but I never was present in the house when he called.

Q. And when you saw him on that Sunday, in addition to your wife and yourself and your sister and Fitsos was anyone else present? A. Yes.

Q. Who else?

A. Mr. George Fitsos, his wife, and John, George's son.

Q. And was there any conversation concerning the marriage between John and your sister?

A. Yes.

Q. Now will you tell us as nearly as you can recall what each party said about a marriage?

A. That Sunday I went to pick up George and we spent all day with him. We went to a restaurant

(Testimony of Theodore N. Giannos.)

and ate, and that's all we talked about, just for the arrangements, and he seemed to be indifferent, he didn't want to name a certain day. I didn't know whether he wanted to stay here or going back. He didn't know, he was so uncertain.

Q. Is that what he said?

A. It seemed to me, so he said "I'm with George now, we will talk it over with George," his brother, so about 9:00 o'clock in the evening, Sunday, his brother came from work, and we sat there and had coffee and cake and something like that in his house, and we talked about what we are going to do, then we put it off to the next day to talk things over, so it was pretty late and we left that Sunday, and I made arrangements for him to come over and pick up my sister, take her for a walk or go to a show, go someplace, [99] you know, and he didn't never come.

Q. When did you next talk to him or see him?

A. Two days later after Sunday I sent—it was his brother. I write him a letter that I want to see him in a certain place, to pick him up, and come over and pick my sister, because she was worried about why didn't he come.

Q. And did you meet him then two days later?

A. Yes, he did.

Q. Where did you meet him?

A. At the Brown Derby.

Q. And did you have a conversation with him?

A. Yes, I did.

(Testimony of Theodore N. Giannos.)

Q. Tell us what, if anything, was said about a marriage?

A. He told me that he wanted to settle in business or something, and I said to him, "Well, I take you around town and I get you acquainted with people in your line of business, and all that, and we will look around for things. First," I said, "We will make arrangements with the Church." He says "Well, I am not ready yet," because his brother-in-law was in the old country, and they might come out here for the wedding, his sister, and he put it off and put it off, and I says, "Well, why don't you get an apartment, because your brother hasn't got—he lived in a den, a little den there, and I said "Why you live here? These people have no"—John Fitsos lived in a den, not in a regular bedroom, and I made the suggestion that he should get an apartment instead of living with his brother like that.

Q. All right, what else, if anything, was said about the marriage?

A. Every Sunday I was going over there. Besides, every day I talked with his brother, I says "Why does he act like that?" And they put it off, he says "No, I don't want to get married, I want to go back to New York and get married," you know.

Q. What, if anything, did your sister say during these discussions concerning the marriage?

A. My sister called him up two or three times, she told me, and he said that himself, when my sister called him and told him "why can't we go down to

(Testimony of Theodore N. Giannos.)

the church and make arrangements for the wedding?"

Q. When you were present with John Fitsos and your sister on these various Sundays was that at George Fitsos' house?

A. Part of the time, because John Fitsos worked on Sundays, and he came home about 9:00 o'clock at night.

Q. During the times that he was present did you ever hear your sister say that she would not go through a Greek Orthodox ceremony with him?

A. No. [100]

Q. Did you ever hear her ask him to go through a Greek Orthodox ceremony?

A. Yes, she asked him.

Q. On more than one occasion?

A. Practically every time they were together.

Q. Did either you or your sister ever tell John Fitsos that he had to put up \$5,000 in your sister's name?

A. Never.

Q. Did either of you ever tell him that he had to get her an apartment and an automobile?

A. Never heard.

Q. Did she ever tell him in her presence that there were any conditions attached to going through a ceremony in the Greek Orthodox Church?

A. No.

Q. Did your sister ever say in your presence and in the presence of John Fitsos that she would refuse to live with John Fitsos?

(Testimony of Theodore N. Giannos.)

A. No, they never discussed it. No, I never heard. She never refused.

Q. Now have you told us in substance and effect the conversations that went on between you and John Fitsos from the time he arrived here concerning the marriage with your sister up until she was served with the annulment papers?

A. I just—I was very surprised to hear about those papers, because every day I was expecting to go through with the ceremony.

Q. Had either George or John Fitsos told you that he was going to file an annulment action against your sister? A. No, never.

Q. Were you at home when the papers were served on your sister? A. No.

Q. Did you ever send any money to John Fitsos?

A. I did.

Q. How much did you send him?

A. I gave him \$300 in New York, and then I sent him a hundred dollars more maybe a few days later.

Q. Where did you send that to?

A. I sent it to Malone, New York, to his sister's home.

Q. And for what purpose did you send him the money?

A. On the good faith—I was giving that as a dowry, as a present, to help them along and help establish them, because he was going to come to Los Angeles and live here and open a business, and in an honest way and faithfully I—I sent him that

(Testimony of Theodore N. Giannos.)

money as a present for my sister, because I thought the man was all right and I thought they could make a good marriage. [101]

Q. Was the \$100 check which is Exhibit 15 any part of the \$400 you sent him?

A. No, that is separate.

Q. Was this \$100 check supposed to go to him or to your sister? A. To my sister.

Q. Did you ever tell him he could have this \$100?

A. No, I did not know—as I explained before, my sister wrote me that it was pretty hot, and I said “This man is not here yet. What is my sister going to do in a foreign country?” and right away I sent her \$100.

Q. Now after your sister was served with papers did you have any conversation with John Fitsos about the marriage with your sister? A. Yes.

Q. When and where did that take place?

A. Mostly in his brother’s house. I wanted to be amongst his people, amongst his relatives.

Q. And what was said by each of you?

A. They never make a definite answer as to when we will go down to the Church. I did. I asked the priest myself, and I asked the community board, they said “Yes, any time, let us know a few days before,” and I was expecting that. The last time I could not locate John Fitsos, and I sent a letter with George, and George came back the next day and I said “What did John say, George?” “Oh,” he says, “he’s up in San Francisco, Fresno”—I don’t know where he was, they would conceal him

(Testimony of Theodore N. Giannos.)

from me, the last ten days or so. They would conceal him. I could not locate the man. And his son, George's son, answered the phone and I left him a message, that I can't ever call him, and I want to locate him. I was constantly trying to locate John Fitsos.

Q. Did you ever locate him or talk to him after your sister was served with the papers?

A. No.

Q. And did you send him any messages requesting that he go through with the marriage with your sister?

A. After I got those papers I call him up and I told his brother George "Why are things like that? I don't understand what happened." So he says, "I don't know," he says to me, his brother George, "I don't know, I don't know." So he left and he went to New York, and I sent a letter.

Q. Who left?

A. Fitsos, John Fitsos. And I sent a letter air mail registered to his name at his sister's care in Malone.

Q. What did you say?

A. I said "Why they want to do that to me, what's happened, why didn't they explain, why didn't they get through with this?" and after I did make arrangements, and everybody in the family knew this thing. And no answer. In fact I sent him two or three letters, and no answer, so I did not know [102] what to do. I took those papers down to Mr. Collins, the Brown Derby attorney, and I

(Testimony of Theodore N. Giannos.)

showed to him, and he tried to locate him. He asked the attorney and they said "We don't know, this man came up" and this and that, so my attorney says to me "Seems like he abandoned your sister," that's what Mr. Collins advised me. I could not locate the man.

Q. So what did you then do?

A. He advised me "Well, the best thing is to free the girl, as long as he's got those papers." I don't know any legal papers. And he advised me the quicker the better, to drop a man like that.

Q. So then did you make any arrangements in connection with your sister going to Nevada?

A. Yes, after I could not locate Fitsos then I talked to George Fitsos, why this and that, and I could get no satisfaction, and registered mail sent to him and no answer, I didn't know what to do, so I made arrangements, you know, to have a divorce.

Q. Now did your sister at any time when you were ever present ever say to you or John Fitsos that she would not go through with the Greek Orthodox ceremony with him? A. No.

Q. And did John Fitsos ever request you to make arrangements for your sister to go through a ceremony with him? A. No.

Q. To your knowledge did he ever request your sister to go through such a ceremony?

A. I did.

Q. Did he ever request—— A. No.

Q. Did he ever tell you that your sister had

(Testimony of Theodore N. Giannos.)

refused to go through with a marriage ceremony with him? A. No.

Counsel: We will offer Exhibit 15 in evidence.

Examining Officer: I object to the introduction of Exhibit 15 in evidence, and ask that all reference to Exhibit 15 be struck from the record, as there has been no foundation laid as to what purpose it serves and any materiality to this proceeding, to whom the endorsements relate, or by whom they were made.

Hearing Officer: The objection is sustained without prejudice to counsel's further—making further showing in this matter.

Counsel: I think I have no further questions from this witness, Mr. Lay. [103]

Hearing Officer: Very well, we will have a ten-minute recess at this time before cross-examination. The time is 3:20 p.m.

(Recess.)

(Hearing is resumed, the time now being 3:31 p.m.)

Your witness, Mr. Lay.

Examining Officer to Witness:

Q. As I understand from your testimony here, you are the brother of the respondent here?

A. Yes.

Q. Where were you born, Mr. Giannos?

A. In Greece.

Q. Of what country are you now a citizen?

A. United States.

(Testimony of Theodore N. Giannos.)

Q. Were you naturalized in the United States?

A. Yes.

Q. Where were you naturalized?

A. In Los Angeles.

Q. When? A. In 1918.

Q. How long has your residence been in the United States? A. Ever since 1911.

Q. During the proceedings here there has been testimony that your sister was an applicant for an immigration visa for some long period of time in Athens, Greece. Were you connected in any way with that application? A. Yes.

Q. In what way?

A. I was the sponsor of the application.

Q. Do you remember when application was first made for the respondent here?

A. Yes, I believe in 1936 or '37.

Q. And you submitted documents to the American Consular there as sponsor for her?

A. Yes.

Q. Did you from time to time inquire of or receive information from the American Consulate in Greece concerning the status of your sister's application for a visa? A. Yes. [104]

Q. Did he inform you as to whether she would have a considerable wait in order to get a visa number or not?

A. Before the war, yes. He told me she was to wait a few years.

Q. There has been introduced into evidence today as Exhibit No. 14 a communication which con-

(Testimony of Theodore N. Giannos.)

tains an attachment from the American Embassy at Athens, Greece, which contains a quotation from a letter from that office to an attorney here in California concerning the application of the respondent for a visa. Were you ever advised of the information that is contained in that communication concerning that application?

A. This paragraph here?

Q. Yes, the paragraph in quotes in that communication.

A. Not this particular one, but I was informed in a different way.

Q. You mean you were informed that there—

A. I never see that particular—but something similar to that, and the number—never had an idea that 6,000 and something, because her number was 285 they told me.

Q. That was before the war?

A. Before the war.

Q. But you were aware in general after the war when she resubmitted her application that there would be a considerable delay before her number was reached, is that right?

A. Not—not like that. I personally appeared before the Consul in Athens when I was there, and they did not give me a definite—they say “We don’t know what’s going to happen from day to day, what orders we are going to receive from Washington.” That—that’s verbally.

Q. Before the conversation you have related with George Fitsos concerning a possible marriage of

(Testimony of Theodore N. Giannos.)

your sister and his brother John, were you aware of the fact that if your sister was married to a United States citizen it would place her in a position to receive a preference in the issuance of a visa?

A. Well, I knew an American citizen could bring his wife into the country, because I have experience from other people.

Q. Prior to this conversation with George Fitsos had you ever contacted any other person in regards to a possible marriage to the respondent here?

A. No one.

Q. To your knowledge did anyone ever contact any person in her behalf in regard to the arrangement of a marriage? A. No.

Q. This is the only time that any attempt was ever made on your part or by anyone that you know of to arrange a marriage?

A. Yes. [105]

Q. Are you married or single?

A. Married.

Q. What is the name of your wife?

A. Ida Giannos.

Q. Is that the person to whom you have referred here as being present during the numerous conversations between you, the respondent here, and John and George Fitsos? A. Yes.

Q. Did your wife ever to your knowledge or at your request contact any person towards making an arrangement for marriage with the respondent here and some other person other than John Fitsos?

A. No.

(Testimony of Theodore N. Giannos.)

Q. Before your sister here, the respondent, left Greece did you correspond with her concerning her coming marriage to John Fitsos? A. Yes.

Q. Did you receive letters from her?

A. Yes.

Q. Did she ever state in any letter that you received from her that her only purpose in coming to the United States was to be here where you were?

A. I didn't get that clearly.

Q. Did she ever make a statement in any letter that you received from her that her only purpose in coming to the United States was to be here in the United States where you were?

A. No, the only purpose was to marry this man that she got acquainted through correspondence, and the one I recommended.

Q. She never made a statement in any letter that she was only arranging to come here because she wanted to be where you were? A. No, no.

Q. When you talked with John Fitsos or his brother George about arranging a marriage between John Fitsos and your sister, was there any discussion as to who would pay the expenses of bringing your sister to the United States or to the Bahamas? A. No.

Q. Did you agree to pay the expenses of bringing her over to the Bahamas for the marriage?

A. No, no. [106]

Q. You have stated in this testimony, I believe, that you gave John Fitsos the \$400 divided up on two occasions. Was that money for the purpose of

(Testimony of Theodore N. Giannos.)

paying the expenses of your sister's coming over here? A. No.

Q. You have previously stated that to your knowledge there was an annulment paper served on your sister in behalf of John Fitsos to terminate their marriage. Is that right? A. Yes.

Q. Did you ever see those papers?

A. I did.

Q. And then following the receipt of those annulment papers as I understand you arranged for your sister to secure a divorce in Las Vegas, Nevada, is that right?

A. After the annulment papers, yes.

Q. If the marriage was in the process of being annulled, why did you believe it necessary to let your sister secure a divorce in order to terminate the marriage which was already in the process of being terminated by annulment?

A. Well, it was a—technicalities—I did not know, I took the advice of my attorney.

Q. Your attorney advised you that she should get a divorce?

A. Yes, there was no other way out.

Q. What was the name of that attorney?

A. Mr. Ford Collins—

Q. That's in Los Angeles here? A. Yes.

Counsel: I think it's Victor Ford Collins.

Witness: Yes, Victor Ford Collins.

Q. (Examining Officer to Witness): Did the attorney at that time advise you that an annulment of your sister's marriage to John Fitsos might

(Testimony of Theodore N. Giannos.)

jeopardize her immigration status in the United States? A. No, he did not mention.

Q. Was that advice ever contained in any correspondence that you received or any statement made to you by anyone? A. No. [107]

Q. Did you at the time the divorce proceedings were instituted believe that an annulment would adversely affect your sister's immigration status?

A. I had no idea.

Q. It is noted in the annulment papers which you have stated you saw that it was alleged therein that your sister had refused to go through the marital relationships essential to a real marriage without first being presented with certain monies, properties, and assets of different kinds. To your knowledge had such demands ever been made upon John Fitsos to produce these assets or monies for your sister? A. I never knew anything.

Q. In the conversations that you have had with John and George Fitsos in the home of George Fitsos which you have described here is it not a fact that these requirements or demands, whatever you want to call them, were discussed?

A. Discussed about the money?

Q. Yes, about giving your sister \$5,000.

A. No, I never heard anything like that. The only discussion was when are they going to get married, and where he wants to settle, and why don't he move. I personally told him "John, you have no room in this place here," and his brother told me "John has no room here" and I said "Why

(Testimony of Theodore N. Giannos.)

don't you get an apartment or something, let's get together." In fact I took him out and showed him a nice place to rent.

Q. Then is it your testimony that these demands were never even mentioned during these conversations? A. Never heard of it.

Q. I believe you testified that up until or just prior to John Fitsos' arrival in Los Angeles you had received correspondence from him in which he had indicated his intention to come here and marry your sister in the Greek Orthodox Church. Is that right? A. Yes.

Q. Do you know of any reason why he didn't go through with those plans as contemplated?

A. I have no idea. When they got married in Nassau I didn't bother about their plans whatever, and when she came here alone I had a wire that she arriving on a certain night, which was a surprise to me. I was working and a telegram came home. My wife called me, and I went to the airport and I saw only my sister, and I ask her "Where is he?" She says he was in Malone, and the whole thing didn't seem right to me, and I immediately wrote him a letter, I say "Why, when are you coming over?" He came over two weeks later, on the 27th of April. [108]

Q. Now as you know it is alleged in the annulment proceedings and in the evidence in this hearing, Mr. John Fitsos has alleged that his reason for not going through with the marriage ceremony was because he would not, and could not, meet the

(Testimony of Theodore N. Giannos.)

financial demands that were made by you and your sister on him to meet certain financial requirements as a prerequisite to the marriage. Do you have any other reason? You say those demands were not made, that there was no such demand. Can you give any other reason or do you have any idea why then he did not go through with the marriage?

A. I have no idea except that his sister told him to come back home. He told me that himself, that he is going to Malone, that's what his sister wanted. For what reason I don't know, I have no idea why he didn't want to go through with it.

Q. You have testified here that at the time you talked to him you understood that he was going to come to Los Angeles to live after the marriage. Is that right? A. Yes.

Q. Well, during the discussion with him and his brother in his brother's home was the subject of where they would live after the marriage discussed, that is, after John arrived here?

A. Yes. One Saturday afternoon his brother—of course his brother George did not work on Saturdays—and they went to Santa Barbara without my knowledge, but he told me that they went to Santa Barbara. I said "That's a fine place to live, you know," I said, "John, that's a wonderful place. Why didn't you come and take your wife?" and he says "Well, we couldn't get all in the car, and I want to see the place by myself." I said "That's a wonderful place, San Diego is a nice place, if you don't like," because he told me Los Angeles is a

(Testimony of Theodore N. Giannos.)

big city, "And San Bernardino, all around nice little towns." I said "Why didn't you take?" I said, "You come and take your wife and go to Santa Barbara I like Santa Barbara." He went with his family together.

Q. Did you ever make any objections to your sister going to Washington or Malone, somewhere away from California to live with John Fitsos?

A. My sister, I told her "Wherever your husband goes, go." It's news to me, but things like that, whether he asked her to go to Washington, I did not know things like that.

Q. Did you ever hear your sister express any sentiments against going to Washington or somewhere from California to live with her husband?

A. No.

Q. Is your wife here today and willing to testify in this proceeding? A. She is not here.

Q. She was, I believe you said, present at a number of these conversations that allegedly took place? A. Yes, she was. [109]

Q. Do you know whether she is willing to testify in this proceeding? A. I presume.

Q. Have you ever mentioned the subject to her, about testifying in this proceeding? A. No.

Examining Officer: I have no further questions of the witness.

Counsel: I have nothing further.

Hearing Officer: Very well, if there is nothing further of the witness, the witness is excused.

Counsel: I have no further testimony at this

(Testimony of Theodore N. Giannos.)

time to offer on behalf of the respondent.

Q. (Hearing Officer to Counsel): Do you have any further documentary evidence, counsel?

A. No, I do not, sir.

Q. (To Examining Officer): Mr. Lay?

A. I have nothing further.

Q. (Hearing Officer to Respondent): If you should be found subject to deportation would you be willing to depart from the United States voluntarily at your own expense in lieu of deportation?

A. If I am to be deported from the United States I will.

Q. May I understand then that if it is found that you are here illegally and you have to leave, that you are willing to go voluntarily and pay your own way? A. Yes.

Q. Now if you are found subject to deportation and ordered deported, what country do you wish to be deported to? A. Greece.

Q. (To Counsel): If there is nothing further to come before the Hearing Officer, my written decision in this case will be prepared, a copy will be served upon counsel, together with a covering letter stating what further action may be taken in the case. Are there any questions?

A. Nothing further. May I retain, pending receipt of the opinion of the [110] Hearing Officer, the transcript?

Q. Yes. A. Fine, thank you.

Hearing Officer: Hearing is closed.

(Respondent at liberty under \$1,000 bond.)

I Certify that, to the best of my knowledge and belief, the foregoing record is a true report of everything that was stated during the course of the hearing, including oaths administered, the warnings given to the alien or the witnesses, and the rulings on objections, except statements made off the record.

/s/ ALFRED E. EDGAR, JR.,
Hearing Officer.

I Certify that the foregoing is a true and correct transcript of the recording made of the testimony taken in the above case.

/s/ CARON RHODES,
Stenographer. [111]

EXHIBIT No. 1

United States Department of Justice
Immigration and Naturalization Service
Office of District Director
458 South Spring Street
Los Angeles 13, California

File No. A7-451-818

Date: Dec. 28, 1950.

Miss Basiliki Andre Giannoulis,
813 South Mariposa Ave.,
Los Angeles 5, Calif.

Dear Miss Giannoulis:

Pursuant to warrant of arrest served on you on November 27, 1950, you are advised to appear at 9:00 a.m., on January 4, 1951, in Room 110-E, W. M.

Garland Building, 117 West Ninth Street, Los Angeles, California, for a hearing to enable you to show cause why you should not be deported from the United States in conformity with law.

The hearing under said warrant is being held pursuant to authority contained in and jurisdiction conferred by Sections 19 and 20 of the Act of February 5, 1917, as amended (8 U.S.C. 155, 156). Failure to appear may result in breach of any bond or parole agreement which has been made in your case.

It is asserted that (1) you are an alien, and (2) you last entered the united States on or about April 13, 1950, at Miami, Florida, and that you are now in the United States in violation of the Act of May 14, 1937, in that, at the time of entry, you were not entitled to admission on the preference-quota visa which you presented upon arrival for the reason that such visa was obtained through fraud, in that you contracted a marriage to procure entry to the United States as an immigrant and failed or refused, after entry, to fulfill your promise for such marital agreement.

You are advised that at the hearing you have the right to be represented by counsel of your own choice and at your own expense, or by any other person duly qualified to practice before the Immigration and Naturalization Service. You are further advised that you should bring to the hearing any documents which you desire to have considered in connection with the case. If any of these docu-

ments is in a foreign language, you should bring the original and certified translation thereof.

You are further advised that if you are deported or if you depart under an order of deportation you will not be permitted to enter the United States within one year after the date of your departure. If you desire to enter the United States after one year has elapsed from the date of your deportation or departure under an order of deportation you must obtain permission from the Attorney General to apply for admission into the United States. If you enter the United States at any time after deportation or departure under an order of deportation without receiving permission from the Attorney General, you will be guilty of a felony and upon conviction be liable to imprisonment of not more than two years or a fine of not more than \$1,000, or both such fine and imprisonment.

Yours truly,

H. R. LANDON,
District Director;

By GEORGE W. SCALLORN,
Acting Chief,
Hearing Section.

cc: A. E. Edgar, Hearing Officer.

cc: J. H. Busselle, Inv. Sec. [112]

EXHIBIT No. 2

WARRANT

For Arrest of Alien

United States of America
Department of Justice
Los Angeles, Calif.

No. A7-451-818

To: District Enforcement Officer, Los Angeles, California, or to any Immigrant Inspector in the service of the United States.

Whereas, from evidence submitted to me, it appears that the alien Basiliki Andre Giannoulis aka Yiannoulis who entered this country at Miami, Florida, on or about the 13th day of April, 1950, has been found in the United States in violation of the immigration laws thereof, and is subject to be taken into custody and deported pursuant to the following provisions of law, and for the following reasons, to wit:

The Act of May 14, 1937, in that, at the time of entry, she was not entitled to admission on the preference-quota visa which she presented upon arrival for the reason that such visa was obtained through fraud, in that she contracted a marriage to procure entry to the United States as an immigrant and failed or refused, after entry, to fulfill her promise for such marital agreement.

I, by virtue of the power and authority vested in me by the laws of the United States, hereby com-

mand you to take into custody the said alien and grant her a hearing to enable her to show cause why she should not be deported in conformity with law. The expenses of detention, hereunder, if necessary, are authorized payable from the appropriation "Salaries and Expenses, Immigration and Naturalization Service, 1951."

For so doing, this shall be your sufficient warrant.

Witness my hand and seal this 15th day of November, 1950.

/s/ H. R. LANDON,
District Director. [113]

Port of Los Angeles, Calif.

Date Nov. 27, 1950

WARRANT FOR ARREST OF

Basiliki Andre Giannoulis aka Yiannoulis

Served by me at Los Angeles, Calif. on Nov. 27, 1950, at 10 a.m. Alien was then informed as to cause of arrest, the conditions of release as provided therein, advised as to right of counsel and furnished with a copy of this warrant.

/s/ HOWARD L. SIMERAL,
Investigator

EXHIBIT No. 3

United States Department of Justice
Immigration and Naturalization Service
Los Angeles 13, California

(Basiliki Andre Giannoulia)

File: A7 451 818

Sworn statement of George P. Fitsos made to Immigrant Inspector James H. Gunther at the United States Immigration and Naturalization Office, Los Angeles, California, on November 2, 1950, in the English language.

Present:

James H. Gunther, Examining Inspector
Athleen Hittelman, Stenographer
George P. Fitsos, Respondent

Examining Inspector to Respondent:

Q. I am an Immigrant Inspector of the United States Immigration and Naturalization Service, and desire to question you under oath concerning the immigration status of one Basiliki Andre Giannoulia. Any statements which you make must be voluntary, and may be used by the Government as evidence in any deportation or criminal proceeding. Are you willing to make such a statement freely and voluntarily under oath? A. Yes.

Q. Please stand and raise your right hand; do you solemnly swear that the statements you are

Exhibit No. 3—(Continued)

about to make will be the truth, the whole truth and nothing but the truth, so help you God?

A. Yes.

Q. What is your full and correct name?

A. George P. Fitsos.

Q. What is your address?

A. 5554 Carpenter Street, North Hollywood.

Q. What is your occupation? A. Waiter.

Q. Where do you work at the present time?

A. Brown Derby No. 2, North Vine Street, Hollywood, California.

Q. Of what country are you now a citizen?

A. United States of America.

Q. By virtue of what fact are you a citizen of the United States?

A. I was naturalized 1926 or 1927 in Tampa, Florida. [114]

Q. Do you know a person named John Fitsos?

A. Yes; he is my brother.

Q. Are you acquainted with a certain person named Andre Basiliki Giannoulia? A. Yes.

Q. How did you first hear of Basiliki Giannoulia? A. Through her brother, Ted Giannos.

Q. Would you please explain how you heard about Basiliki Giannoulia through Mr. Ted Giannos?

A. Yes; I worked with Ted Giannos, and he told me he had a sister in Greece. He liked to bring her over here; he was thinking of getting some ex-service man from the American army that he can marry sister somehow and bring her over here. Then he

Exhibit No. 3—(Continued)

speaking of my brother John and I say you can meet John on your way to the Old Country, or you can write to him for I am not so close with John; I wouldn't know if want to get married. He wrote to John and they started conversing. For some reason or another when Ted left here going to the Old Country he didn't tell me the day he was going. He was in New York already when I knew he was going, and he met my brother there in New York.

Q. Did Mr. Giannos proceed to Greece, to your knowledge? A. Yes.

Q. And what arrangements were made between Mr. Giannos and your brother John in New York?

A. Well, I knew through what my brother wrote me; Mr. Giannos, he wanted to bring his sister through Canada and they were to meet in Canada and get married and then come over to the United States, but for some reason or another it didn't occur somehow. After John did fill out the necessary papers from Canada and United States Immigration and sent them to the Old Country, it didn't materialize for some reason. Ted Giannos came back alone and he again met my brother in New York and John wanted to go to the Old Country then (to Greece), but Ted didn't want—I don't know how to put that—he made it such a picture of the Old Country that John didn't want to go there, and they going to make arrangements somehow to bring his sister through Nassau, Bahamas.

Q. To your knowledge, was there any reason why

Exhibit No. 3—(Continued)

Ted Giannos persuaded your brother not to go to Greece to see his sister?

A. He probably found out about John more than I knew before—I don't know exactly why—my brother wrote me—that he didn't want John to go over to the Old Country. [115]

Q. To your knowledge, why did the original plan to bring Mr. Giannos' sister into the United States through Canada—why was that plan abandoned?

A. So they marry in Canada and they can come over to the United States—because they will have to get married in Canada in the Greek Orthodox Church also. They had all their plans made to get married in Greek Orthodox Church before they come over here. I don't think that Mr. Ted Giannos wanted his sister to get married in Canada in the Greek Orthodox Church.

Q. To your knowledge, who then was responsible for the abandoning of this plan to bring Ted's sister into the United States through Canada?

A. I really don't know.

Q. What actually happened insofar as the entry of Basiliki Andre Giannoulia into the United States—what actually happened as far as her entry was concerned—how did she come to this country?

A. They got married first at Nassau, Bahamas Islands, but they did not live together as man and wife; then she and John came together to Miami, Fla., and she took a plane to Los Angeles and John followed a little while after that—I can't say just

Exhibit No. 3—(Continued)

when—one or two weeks after. He went first to Malone, New York to see my sister because her husband was going to the Old Country for visit then he come on out here.

Q. How did you obtain your knowledge of what transpired in the East and also insofar as the entry of Ted Giannos' sister into the United States was concerned?

A. I—my knowledge was from my brother's letters to me.

Q. What transpired after John arrived in Los Angeles?

A. He called Ted Giannos' house—that's the address he had—and they told John over the phone not to go near the house where she is, or to say anything to anyone that his sister come through Nassau, or that they were married. To my brother's surprise—he didn't know what to do. Then Ted told—the only way I knew my brother was here—he told me that John was in town. He told me where he was, and I proceeded to call him and he was in a terrible state of mind—crying and angry—he tell me, "I couldn't expect to be receiving her—they tell me not to go near my wife—not to go near the house."

Q. Who was it that told your brother John this over the phone?

A. The girl—I distinctly remember—

Q. Did she give any reason why she did not wish her marriage to your brother John disclosed, and

Exhibit No. 3—(Continued)

also that she had entered the United States by virtue of her marriage to him?

A. I do not know. She just told him not to tell anything about it and not to go near the house—she didn't want people to know. [116]

Q. Then to your knowledge, when did your brother John first actually see his wife after his arrival here in Los Angeles? A. At my house.

Q. When did that meeting take place—what date, to the best of your knowledge?

A. Saturday—I can't say the date—sometime in May, 1950.

Q. Who was present at the time your brother met his wife?

A. At my house—my wife, Ted, his wife, and John.

Q. What was said at this meeting?

A. Well, it was the first speaking, "How do you do," and she said that she want to—she come to this country to be with her brother and nobody else.

Q. Did you actually hear her say that?

A. She first told that to my wife. My wife being an American not able to speak Greek, her brother translated to my wife, and then she told me that, too—that's right, she told me that she come here to be with her brother.

Q. In other words, she repeated that to you?

A. Yes, she repeated that after I came back in the room.

Q. Did Ted Giannos ever indicate to you that he did not wish his sister to be married to your

Exhibit No. 3—(Continued)

brother John for any other reason than to bring her into the United States?

A. Well, Ted Giannos told me that he be like stealing his sister, without him being present at the wedding (with regard to if they had been married in the Greek Orthodox Church at Nassau, Bahamas, rather than at Los Angeles).

Q. Did Ted Giannos and his sister treat her civil marriage to your brother at Nassau, Bahamas, lightly insofar as you were concerned?

A. They took it as a joke; that it wasn't serious; then when I got angry and told them, "be serious about it; your sister, by law in the United States of America, is his wife now," and they just laughed at me—for what I don't know—just dumb, or something. There was a feeling—I want to put it down—that they could break it easily. I was ashamed because I started it—through me they met my brother.

Q. Did either Ted Giannos or his sister mention any conditions of marriage to your brother after their arrival in Los Angeles? A. No.

Q. Do you know of any such conditions of marriage expressed by either Basiliki or her brother Ted?

A. As my brother told me, they want him, John, to give her an account of \$5,000.00; and to buy a home or apartment house; and go into business; and to buy her an automobile, and to promise that he will help her family in the Old Country. [117]

Q. Was anyone else present when she stated to

Exhibit No. 3—(Continued)

him these conditions under which she would marry him?

A. Her brother and his wife, and then again she called my brother at my house over the phone and said those conditions again to him, and as she was talking to him he was telling my wife about it—what a terrible conditions they want—why they want him to do so much.

Q. Was there any reason why Basiliki Giannoulia and her brother thought that your family or John was wealthy?

A. Ted observed, while on his trip to the Old Country, that my cousins over there were wealthy and later Ted's wife stated to my wife that we should try to get some of their money. Ted's wife also told my wife two or three times that they wouldn't let her marry unless they get those conditions which I stated before; and it would take \$100,000.00 for anyone to meet those conditions, and she said "we—we don't want \$100,000.00," and my wife says to meet those requirements a man must have \$100,000.00, and she said they didn't want \$100,000.00, but she said they wanted buy an apartment house, buy a home, and even they had to go in with him to go into business.

Q. Was Basiliki Ginnoulia willing to accompany your brother to any part of the United States where he wished to reside?

A. No; she told us no; that she was not going to leave Los Angeles; that she wouldn't live any place but Los Angeles.

Exhibit No. 3—(Continued)

Q. Did she give any reason for wanting to remain in Los Angeles, California?

A. To be with her brother.

Q. Do you have any other reason to believe that Basiliki Giannoulia did not come to the United States to be the wife of your brother John, in good faith?

A. Just to come here and be with her brother.

Q. To your knowledge, were any of these conditions of marriage requested of your brother prior to his marriage to Miss Giannoulia? A. No.

Q. In your opinion, would your brother have declined to have brought her to the United States had those conditions been made to him prior to the marriage?

A. Certainly not; he would never——

Q. Do you wish to say anything else at this time? [118]

A. I would like to have you talk to my wife concerning what she knows about the situation; however, she is not well at this time.

Q. Are you willing to sign the stenographer's notebook to indicate your presence here today, Mr. Fitsos? A. Yes.

/s/ GEORGE P. FITSOS,
Signature—(Traced).

Exhibit No. 3—(Continued)

I hereby certify that the foregoing is a true and correct transcript of my stenographic notes, Book No. 01841.

/s/ ATHLEEN HITTELMAN,
Stenographer.

/s/ JAMES H. GUNTHER,
Immigrant Inspector. [119]

EXHIBIT No. 4

United States Department of Justice
Immigration and Naturalization Service
Los Angeles 13, California

(Basiliki Andre Giannoulia)

File: A7 451 818

Supplemental sworn statement of George P. Fitsos made to Immigrant Inspector James H. Gunther at the United States Immigration and Naturalization Office, Los Angeles, California, on November 7, 1950, in the English language.

Present:

James H. Gunther, Examining Inspector
Athleen Hittelman, Stenographer
George P. Fitsos, Respondent

Examining Inspector to Respondent:

Q. This is the same advice as before; that I am an Immigrant Inspector of the United States Im-

Exhibit No. 4—(Continued)

migration and Naturalization Service, and desire to question you under oath concerning the immigration status of one Basiliki Andre Giannoulia. Any statements which you make must be voluntary, and may be used by the Government as evidence in any deportation or criminal proceeding. Are you willing to make such a statement freely and voluntarily under oath? A. Yes.

Q. Will you please stand and raise your right hand; do you solemnly swear that the statements you are about to make will be the truth, the whole truth and nothing but the truth, so help you God?

A. Yes, I do.

Q. What is your full, true and correct name?

A. George P. Fitsos.

Q. Are you the same George P. Fitsos who made a sworn statement in this office on November 2, 1950? A. Yes.

Q. Do you recall on how many occasions you met Basiliki Giannoulia? A. Three.

Q. You have already related the first meeting; would you please state the circumstances of the second meeting?

A. Ted Giannos, his wife Ida, John and Basiliki have been out; they have taken John out for the day, and we were sitting in the living room in my house, and I was talking—something—and I noticed when John and Basiliki, they were talking, or repeating what they had said when they been out looking at houses or something—and she said this, “I want security; I want you to get house, apart-

Exhibit No. 4—(Continued)

ment house, to go in a business, and get a home; we [120] have to have a car out here. Your brother has a car, and got a nice home.” John says, “Yes, we will do something; we will get something; we have to get, after”; meaning “after the Greek church ceremony take place.” She says, “No, I want it now.” Then I say, “You no don’t forget you are married to John already.” She says, “Oh, no! That out there—that’s nothing!” Like that—“That’s nothing!” Then she says, “I want security; I want to see what you got,” repeating, “I want to know what you have got; you’ve got to put it on the table.” At that point my brother got angry and he put whatever money he had in his pocket, which was about \$7.00, on the table. He says, “Now, that’s all I got; this all the money I have got; you married me for my money, not for me.” And she repeatedly say, “I want security.” She says, “When you marry me, you marry a smart girl; you don’t marry just an ordinary girl like those we seen down there,” meaning the girls in Nassau. I answered too, one time about my house; I said, “Don’t forget I been married thirty years,” and she repeatedly said that she want those things; she want security or release money; she said that to John.

Q. Was anyone else present at this meeting besides the persons you have mentioned?

A. No. My wife was in the kitchen.

Q. Can you state approximately when this meeting took place in your house?

Exhibit No. 4—(Continued)

A. It was the Sunday following the first meeting; the first week that John got here. I think it was in May; either on Mother's Day or the Sunday before Mother's Day.

Q. Did your brother or anyone else accuse Basiliki of marrying John for the purpose of entering the United States? A. Not that I heard of.

Q. When and where did the third meeting take place at which time you saw Basiliki?

A. It was on Sunday, either one or two weeks after the second meeting—I don't just remember.

Q. Where did that take place?

A. In my house.

Q. And what occurred, or transpired, at that last time you saw Basiliki?

A. We all were talking about the same thing, and Ted's wife got up and stuck her feet down that Johnny have to have money and meet their demands before they let the girl marry to anybody, and at that time my wife come and she was in the next room with my boy, and they heard all this noise and so forth, and she said they can act better than that; that we were making too much noise, and for that occasion Ted's wife called my wife the next day to apologize, but only before she was through she told my wife the plans, what [121] John have to have before he can have that girl; that's when my wife told it take one hundred thousand dollars for anyone to fulfill those demands they want, and she said, "We don't want hundred thousand," and

Exhibit No. 4—(Continued)

my wife say someone must have hundred thousand dollars, you want John to do.

Q. To your knowledge, could your brother John have met the demands made upon him by Basiliki before she would consent to a marriage to him in the Greek Orthodox Church?

A. To my knowledge, I don't believe so.

Q. Who was present at the last occasion that Basiliki was in your home?

A. Ted's wife, I, John and Basiliki; my wife in the den when we were in the living room.

Q. Do you have anything else you wish to say at this time?

A. We had argument with Ted; he wanted to wait and have the wedding here in the Greek Church, and the civil wedding down there, Nassau, and I told Ted there was no reason for that; it was only more expenses, and Ted put it, "I have lot of friends here," and that night I went home and thought it and thought, and said to my wife, "I smell a rat, honey, and I feel it is my duty"; just exactly what I said to my wife; "it is my duty because I started this thing, to write to John and tell him about it—either to marry her in both ways or none at all in Nassau," and John wrote me after she got down there, at Nassau, that he told her that they must have some kind of plans when she gets to Los Angeles to marry somebody else, and they just use him to go to Los Angeles, and she says, "No, John, I come here to marry you, and I going to marry you only." Then when John came

Exhibit No. 4—(Continued)

here he telephoned Basiliki at Ted's house, and she told him right out without even using any sweet words at all, not to go near the place to try to see her or tell anyone that they were married in Nassau. I also remember that on the occasion of the second meeting in my house, I asked Ted what is all this secrecy about. My brother is here and I want to tell them my brother is visiting here, and I want to introduce him and take him out, and I can't, and Ted said, "You can tell them your brother is here, but don't tell them he is married to my sister in Nassau, or he was down there with her."

Q. Are you willing to sign the stenographer's notebook to indicate your presence here today?

A. Yes.

/s/ GEORGE P. FITZOS,
(Signature—Traced)

I hereby certify that the foregoing is a true and correct transcript of my stenographic notes, Book No. 1783.

/s/ ATHLEEN HITTELMAN,
Stenographer.

/s/ JAMES H. GUNTHER,
Immigrant Inspector. [122]

EXHIBIT No. 5

United States Department of Justice
Immigration and Naturalization Service
Los Angeles 13, California

File: A7 451 818

(Basiliki Andre Ginnoulas)

A record of sworn statement taken at Los Angeles, California, on October 27, 1950, in the Greek language.

Present:

James H. Gunther, Examining Inspector;
Basiliki Giannoulas, Alien;
John Christopoulos, Interpreter (Official).

Examining Inspector to Interpreter:

Q. What is your name and address?

A. My name is John Christopoulos; I live at 836 South Harvard, Los Angeles 5, California.

Q. Of what country are you a citizen?

A. I am a citizen of Palestine.

Q. Are you qualified to interpret in the Greek language?

A. Yes, as Greek is my mother language.

Q. Have you spoken to the respondent, Miss Ginnoulas; do you understand each other?

A. Yes, I did speak to her and we do understand each other.

Q. Please stand and raise your right hand; do you solemnly swear that you will interpret truthfully and correctly all the questions and answers

Exhibit No. 5—(Continued)
given at this hearing, so help you, God?

A. I do.

Q. (Examining Inspector to Alien): I am an Immigration Inspector of the United States Immigration and Naturalization Service, and desire to question you under oath concerning your status under the Immigration laws of the United States. Any statements which you make must be voluntary, and may be used by the government as evidence in any deportation or criminal proceedings; are you willing to make such a statement freely and voluntarily under oath?

A. I do. [123]

Q. Please stand and raise your right hand; do you solemnly swear that the statements you are about to make will be the truth, the whole truth, and nothing but the truth, so help you God?

A. I do.

Q. When and where were you born?

A. I was born in 1912 at Mazelija, near Calavria, Greece.

Q. What is your birth date?

A. Sixteenth of July.

Q. Of what country are you now a citizen?

A. I have a Greek passport, and I am a citizen of Greece.

Respondent Presents: Greek passport No. 12204 in the name of Basiliki Andre Giannoulas, bearing likeness of respondent and showing issuance at Athens, Greece, on December 7, 1949; date of expiration is illegible.

Exhibit No. 5—(Continued)

Q. What is your father's name and where was he born?

A. The name of my father is Andreas Giannoulis; born, Mazelija, Calavria, Greece.

Q. Is your father living at the present time?

A. No, he died.

Q. Of what country was your father a citizen?

A. He was a citizen of Greece.

Q. What is your mother's name and where was she born?

A. My mother's name is Catherine Andrea Giannoulis; born the same place—Mazelija near Calavria, Greece.

Q. Is your mother living at the present time?

A. My mother is still living.

Q. Of what country is your mother a citizen?

A. She is a citizen of Greece.

Q. Have either of your parents ever become citizens of any other country than Greece?

A. Of no other country have they been citizens except Greece.

Q. Have you ever taken any steps to become a citizen of any other country than Greece?

A. Never.

Q. What is your present marital status?

A. I am a divorcee.

Q. How many times have you been married?

A. The first. [124]

Q. When and where were you married?

A. I got married on or about 25th of March, 1950, at Nassau, Bahamas.

Exhibit No. 5—(Continued)

Q. To whom were you married at that time?

A. My husband's name is John Fitsos.

Q. When and where did you receive a divorce from John Fitsos?

A. I got my divorce about the 15th of September, 1950, at Las Vegas, Nevada.

Q. How many times have you entered the United States? A. The first time.

Q. When and where did you last enter the United States?

A. I last entered the United States at Florida about 15th of March, 1950.

Q. At what Port in Florida did you enter the United States? A. Miami.

Q. In what manner did you enter; by steamship or plane, or how? A. I came in by plane.

Q. Were you in possession of an unexpired immigration visa? A. Yes.

Respondent Presents: Form I-151 bearing her likeness and bearing number A7 451 818, showing that Basiliki Fitsos was admitted to the United States on April 13, 1950, as a quota immigrant under Section 4(a) of the Immigration Act of 1924.

Note: Respondent's passport previously read into the record also indicates on Page 15 that she was admitted with a Section 4(a) Non-quota Immigration Visa No. 182 which was issued at Nassau, Bahamas, on April 11, 1950, such entry having taken place at Miami, Florida, on April 13, 1950.

Q. Have you ever been excluded from the United States? A. No.

Exhibit No. 5—(Continued)

Q. Have you ever been deported from the United States, or were you ever required to depart in lieu of deportation? A. No.

Q. Prior to your departure from Greece for the United States had you made application for an immigration visa in that country?

A. I did apply in 1937 and again in 1947 and have been ever since on the waiting list for a quota.

Q. Where were you on this waiting list; where had you applied for an immigration visa?

A. I applied for an immigration visa in Athens, Greece. [125]

Q. When did you first hear of John Fitsos?

A. The first time I heard about John Fitsos was from my brother when he visited me in Greece about the 8th of September, 1949.

Q. Would you please state that brother's name to whom you refer?

A. The name of my brother is Theodore Giannos.

Q. How does it happen that your brother uses the name of "Giannos," while you use the name of "Giannoulis," or "Yiannoulis"?

A. It is almost identical except for the English way of writing it; that is all.

Q. What did your brother tell you with regard to John Fitsos on the occasion of his visit to Greece?

A. My brother, Theodore Giannos, was working with the brother of John Fitsos out here in Los Angeles, and he offered to introduce me to his brother in Miami, Florida, through pictures.

Exhibit No. 5—(Continued)

Q. Was this introduction through correspondence to John Fitsos through his brother and through your brother then accomplished? A. Yes.

Q. Did you then correspond with John Fitsos?

A. Yes, I did have correspondence with John Fitsos.

Q. And what agreement did you—or understanding, did you have with John Fitsos as to coming to this country?

A. The agreement was that I should come out here in Los Angeles and get married in the Greek Orthodox Church as my brother was living out here.

Q. That is the agreement you had with John Fitsos? Is that correct? A. Yes.

Q. How did you proceed from Greece to the United States?

A. I first landed at the Bahamas; then Miami and after that, Los Angeles.

Q. How soon after your marriage at Nassau, Bahamas, did you secure your immigration visa?

A. It took me fifteen days to secure a visa to enter the United States.

Q. After your marriage at Nassau, Bahamas, to John Fitsos, did you live with him as man and wife?

A. The agreement with John Fitsos was that I should get married to him in order to enter the United States and to repeat my marriage vows in the Greek Orthodox Church here in Los Angeles, but we never lived as man and wife.

Exhibit No. 5—(Continued)

Q. After your marriage in the Bahamas did you sleep in different rooms or did you sleep in the same bed?

A. We were living in different quarters—different rooms.

Q. Was there a Greek Orthodox Church in the Bahamas?

A. There is a Greek Orthodox Church in the Bahamas. [126]

Q. How does it happen that you were not married in that church or in the first available Greek Orthodox Church in the United States?

A. For the simple reason that I wanted to be with my brother and friends out here in Los Angeles.

Q. After your arrival in the United States, you proceeded to Los Angeles, is that correct?

A. Yes.

Q. Where did John Fitsos go after your arrival in the United States at Miami, Florida?

A. My husband, John Fitsos, as soon as we got married, went back to New York to see his sister and get his belongings.

Q. Who paid your expenses from Greece to the Bahamas Islands? A. It was John Fitsos.

Q. To your knowledge, did your brother defray any of your expenses to this country?

A. No, not that I know of.

Q. How soon after your arrival in the United States did your husband, John Fitsos, join you?

Exhibit No. 5—(Continued)

A. He joined me after we were in Los Angeles.

Q. Did you live with John Fitsos in Los Angeles at any time as man and wife? A. No.

Q. Were you married to John Fitsos in Los Angeles in the Greek Orthodox Church as planned?

A. No.

Q. Why was the marriage not carried out as planned?

A. Because John Fitsos has changed his mind ever since we arrived in Los Angeles.

Q. For what reasons did he change his mind as to his marriage to you?

A. I do not know the reason.

Q. Did you live in separate houses or did you live in the same house after John Fitsos arrived in Los Angeles?

A. He lived with his brother and I lived with my brother.

Q. Did you ask John Fitsos as a condition to your marriage to him in the Greek Orthodox Church that he open an account in your name; buy an automobile in your name and purchase an apartment house before you would marry him?

A. No such conditions were ever put by me.

Q. However, you do not know any reason why he did not go through with his marriage to you in the Greek Orthodox Church, is that correct?

A. Yes. [127]

Q. He did not give you any reason why he did not wish to marry you in the Greek Orthodox Church, is that correct? A. He never told me.

Exhibit No. 5—(Continued)

Q. Did John Fitsos want to live with you as man and wife after your marriage to him in Nassau, Bahamas? A. No, he did not.

Q. Then did you, at any time since your marriage to John Fitsos, have sexual intercourse with him?

A. No, because we have this agreement that we should get first married in the Greek Orthodox Church.

Q. Have you ever been arrested by the police for any cause whatsoever, either in the United States or in any other country? A. No.

Q. Where did you live during the six months immediately preceding your entry into the United States?

A. My mailing address is Mazelija, Calavrirea, Greece.

Q. What personal possessions do you have in the United States at the present time?

A. I do not have any other possessions but \$2,000.00 in the bank.

Q. Are you employed at the present time?

A. No, I do not.

Q. How are you being maintained at the present? A. Well, I live with my brother.

Q. Would you please give your present address?

A. My present address here in Los Angeles is 1813 South Mariposa, Los Angeles 5, California.

Q. After your entry into the United States did you wish to marry John Fitsos in the Greek Orthodox Church and live with him as man and wife?

Exhibit No. 5—(Continued)

A. Yes, I did.

Q. Upon what grounds did you receive your divorce from John Fitsos in Las Vegas, Nevada?

A. John Fitsos knows the reason, because he was the one to apply for the divorce at Las Vegas, Nevada.

Q. Do you mean that John Fitsos was the plaintiff in that divorce suit rather than you?

A. Yes, it was him and not me. [128]

Q. Did you reside in Las Vegas, Nevada at any time during the divorce proceedings?

A. Yes, I did live in Las Vegas for about three (or two) (record not clear) months.

Q. Did John Fitsos, to your knowledge, live in Las Vegas, Nevada, at any time during the divorce proceedings?

A. No, I don't.

Q. To your knowledge, did John Fitsos institute annulment proceedings in California?

A. Yes, he did proceed to annulment proceedings.

Q. Do you wish to say anything else at this time?

A. I have nothing else to add but he was the originator of all this divorce proceedings.

Personal Description:

5'4"; weight, 150 lbs.; dark brown hair; hazel eyes; mole between eye and ear.

Exhibit No. 5—(Continued)

I certify the foregoing to be a true and correct transcript of the recording made of the testimony taken in the above case.

/s/ ATHLEEN HITTELMAN,
Stenographer.

/s/ JAMES H. GUNTHER,
Immigrant Inspector. [129]

EXHIBIT No. 7

Giannoulas, Basiliki Andre
Yiannoulas, Basiliki Andre

W 7-16-12 5-4

18 I 21 W 100 21
I 29 W 000

#A7 451 818 USINS Los Angeles, Calif., 12-2-50

A search of the fingerprints on the above individual has failed to disclose prior criminal data.

/s/ J. EDGAR HOOVER,
Director, Federal Bureau of
Investigation.

Inv. 11/15. [131]

EXHIBIT No. 8

In the Superior Court of the State of California
in and for the County of Los Angeles

No. D-398670

JOHN PETROS FITSOS,

Plaintiff,

vs.

BASILIKI ANDRE FITSOS, Also Known as
BASILIKI ANDRE YANNOULIA, Also
Known as B A S I L I K I ANDRE GRAN-
NOULIA,

Defendant.

COMPLAINT FOR ANNULMENT
OF MARRIAGE

Plaintiff complains of defendant and alleges:

I.

Defendant is a resident of the County of Los Angeles, State of California.

II.

Plaintiff and defendant intermarried on the 27th day of March, 1950, at Nassau, Bahamas, and ever since have been and now are husband and wife.

III.

Plaintiff alleges the following facts as required by §426a of the Code of Civil Procedure of the State of California:

Exhibit No. 8—(Continued)

(a) Plaintiff and defendant intermarried on the 27th day of March, 1950;

(b) The place of marriage was Nassau, Bahamas;

(c) The parties never lived together as husband and wife and the date of separation is therefore the 27th day of March, 1950, the date of marriage;

(d) No time elapsed between the date of marriage and the date of separation;

(e) There are no issue of said marriage.

IV.

For the purpose of inducing plaintiff to consent to said marriage, prior to said marriage the defendant falsely and fraudulently represented to plaintiff that she would live with him as wife wherever he might live, that she would perform the duties of a wife and that she would consummate said marriage by sexual intercourse with the plaintiff and continue to cohabit with plaintiff.

V.

Immediately after said marriage ceremony was completed, defendant stated to plaintiff that she would not live or cohabit with him until their marriage was celebrated by a priest of the Greek Orthodox Church and the parties agreed to come to Los Angeles, California, for that purpose.

Exhibit No. 8—(Continued)

VI.

Defendant arrived in Los Angeles, California, on or about April 14, 1950, and plaintiff arrived in Los Angeles, California, on or about April 26, 1950. Upon plaintiff's arrival in Los Angeles, defendant refused to live and cohabit with plaintiff as husband and wife. Defendant also stated to plaintiff she would not marry plaintiff in the Greek Orthodox Church and would not cohabit and live with plaintiff unless he would first deposit \$5,000.00 in a bank in defendant's name, purchase and furnish a home in Los Angeles for defendant, purchase an automobile for defendant and promise to settle in Los Angeles, California. Plaintiff has informed defendant that he is neither willing nor able to fulfill these requirements and demanded that defendant come to live with him as his wife wherever plaintiff might decide to settle. Defendant has refused and continues to refuse to cohabit and live with plaintiff as husband and wife.

VII.

Plaintiff was induced to consent to the said marriage by the said representations of defendant alleged in paragraph IV hereinabove, which he believed at the time of said marriage to be true, and that if said representations had not been made to him, he never would have consented to said marriage.

VIII.

At the time defendant made said representations

Exhibit No. 8—(Continued)

to plaintiff she did not in fact intend to consummate said marriage by sexual intercourse with plaintiff and did not intend to cohabit and live with plaintiff as husband and wife. Said representations were falsely and fraudulently made with the purpose of inducing plaintiff to consent to marry defendant in order that defendant, who is an alien, could obtain permission of the United States to enter this country on the ground that she was married to a citizen of the United States; whereas defendant never intended to cohabit and live with plaintiff as husband and wife once she was successful in reaching this country and said marriage has never been consummated.

IX.

Plaintiff has never cohabited with defendant, either before or after he discovered the falsity of said representations of defendant and the fraud defendant has practiced upon plaintiff.

Wherefore, plaintiff prays judgment that said marriage may be, by decree of this Court, declared to be void for the reasons above set forth, and for plaintiff's costs incurred herein and for such other and further relief as to the Court may seem just and proper.

GANG, KOPP & TYRE.

By /s/ (Indistinguishable.)

Attorneys for Plaintiff. [135]

Exhibit No. 8—(Continued)

State of California,
County of Los Angeles—ss.

John Petros Fitsos, being first duly sworn, deposes and says: that he is the plaintiff in the above-entitled action; that he has read the foregoing Complaint for Annulment of Marriage and knows the contents thereof; and that the same is true of his own knowledge, except as to the matters which are therein stated upon his information or belief, and as to those matters that he believes it to be true.

/s/ JOHN PETROS FITSOS.

Subscribed and sworn to before me this 17th day of May, 1950.

[Seal] /s/ ANN NILES,
Notary Public in and for the County of Los Angeles,
State of California. [136]

Exhibit No. 8—(Continued)

In the Superior Court of the State of California
in and for the County of Los Angeles

No. D-398,670

JOHN PETROS FITSOS,

Plaintiff,

vs.

BASILIKI ANDRES FITSOS, a/k/a BAILIKI
ANDRE YANNOULIA, a/k/a ASILIKI
ANDRE GRANNOULIA,

Defendant.

ANSWER

Comes Now the defendant and in answer to plaintiff's complaint denies and alleges as follows:

I.

Denies all the allegations of Paragraphs IV, V, VI, VII, VIII and IX of plaintiff's complaint.

Wherefore, defendant prays that plaintiff take nothing by his complaint and that said action be dismissed.

/s/ VICTOR FORD COLLINS,

Attorney for Defendant. [137]

Exhibit No. 8—(Continued)

Affidavit of Service by Mail

State of California,
County of Los Angeles—ss.

E. Olsen, being duly sworn, says, that affiant is a citizen of the United States, over 18 years of age, a resident of Los Angeles County and not a party to the within action.

The affiant's business address is 111 West 7th St., Suite 1111, Los Angeles, Calif.;

That affiant served a copy of the attached Answer, by placing said copy in an envelope addressed to plaintiff's attorneys to wit: Gang Kopp & Tyre, at their office address, which is 401 Taft Bldg., Los Angeles 28, California, which envelope was then sealed and postage fully prepaid thereon, and thereafter was on June 19th, 1950, deposited in the United States Post Office at Los Angeles, Calif. That there is delivery service by United States mail at the place so addressed, or regular communication by United States mail between the place of mailing and the place so addressed.

/s/ E. OLSEN.

Subscribed and sworn to before me June 19th, 1950.

[Seal] /s/ FRANK J. KANNE, JR.,
Notary Public in and for the County of Los Angeles,
State of California.

Exhibit No. 8—(Continued)

State of California,
County of Los Angeles—ss.

Basiliki Andre Fitsos, being by me first duly sworn, deposes and says: that she is the defendant in the above-entitled action; that she has read the foregoing Answer and knows the contents thereof; and that the same is true of her own knowledge, except as to the matters which are therein stated upon her information or belief, and as to those matters that she believes it to be true.

/s/ BASILIKI ANDRE FITSOS.

Subscribed and sworn to before me this 19th day of June, 1950.

[Seal] /s/ FRANK J. KANNE, JR.,
Notary Public in and for Said
County and State. [138]

Exhibit No. 8—(Continued)

In the Superior Court of the State of California,
in and for the County of Los Angeles

No. D-398,670

JOHN PETROS FITSOS,

Plaintiff,

vs.

BASILIKI ANDRES FITSOS, a/k/a BASILIKI
ANDRE YANNOULIA, a/k/a BASILIKI
ANDRE GRANNOULIA,

Defendant.

REQUEST FOR ENTRY OF DISMISSAL
(Without Prejudice)

To the Clerk of Said Court:

You will enter the dismissal of the above-entitled
action without prejudice.

Los Angeles, California, September 13, 1950.

GANG, KOPP & TYRE,

By /s/ WILTON A. VERDEN,
Attorneys for Plaintiff.

Dismissal entered this 14th day of Sept., 1950. [139]

EXHIBIT No. 9

Case No. 49887.

Dept. No. 2.

In the Eighth Judicial District Court of the State
of Nevada, in and for the County of Clark

BASILIKI ANDRE FITSOS,

Plaintiff,

vs.

JOHN PETROS FITSOS,

Defendant.

COMPLAINT FOR DIVORCE

Plaintiff complains of defendant, and for cause of
action alleges.

I.

That the plaintiff is and for more than six weeks
immediately preceeding the commencement of this
action has been an actual, bona fide resident and
domiciliary of the State of Nevada, actually,
physically and corporeally present and residing and
being domiciled therein during all of said period.

II.

That the plaintiff and defendant intermarried at
Nassau, Bahamas, on or about the 27th day of
March, 1950, and ever since have been and now are
husband and wife.

III.

That there are no children the issue of said mar-
riage.

IV.

That there is no community or other jointly owned property belonging to the parties hereto, within the State of Nevada, but that the parties entered into a property settlement agreement on or about the 15th day of June, 1950, fully and finally settling all of their property rights in and to all community and jointly owned property; that said agreement is fair and reasonable to all parties. [140]

V.

That since said marriage the defendant has treated the plaintiff with extreme cruelty and has caused her great grievous mental suffering and pain without cause or provocation, and plaintiff's health was and is thereby and therefrom impaired.

VI.

That the plaintiff's former name was Basiliki Andre Yannoulia.

Wherefore, plaintiff prays judgment:

1. That the bonds of matrimony heretofore and now existing between plaintiff and defendant be dissolved, and that the plaintiff be granted an absolute decree of divorce, and that each of the parties hereto be restored to the status of a single unmarried person;

2. That the property settlement agreement be ratified and approved, made a part of any decree rendered herein, and the parties ordered to comply with the terms thereof.

3. That the plaintiff's former name, Basiliki Andre Yannoulia, be restored to her; and

4. For such other and further relief as the Court deems proper to grant.

SCHULTZ & SCHULTZ,

By CLEVELAND SCHULTZ, JR.

State of Nevada,
County of Clark—ss.

Basiliki Andre Fitsos, being duly sworn, deposes and says: That she is the plaintiff in the above-entitled action; that she has read the foregoing complaint and knows the contents thereof and that the same is true of her own knowledge, except as to those matters therein alleged on information and belief and as to those matters she believes it to be true.

/s/ BASILIKI ANDRE FITSOS.

Subscribed and sworn to before me this 8th day of September, 1950.

[Seal] /s/ CLEVELAND SCHULTZ, JR.,
Notary Public in and for Said
County and State. [141]

Certification of Copy

State of Nevada,
County of Clark—ss.

I, Helen Scott Reed, the duly elected, qualified and acting Clerk of Clark County, in the State of Nevada, and Ex Officio Clerk of the District Court, do hereby certify that the foregoing is a true, full and correct copy of the original: "Complaint for Divorce" in the action entitled;

BASILIKI ANDRE FITSOS,

Plaintiff,

vs.

JOHN PETROS FITSOS,

Defendant.

Case No. 49987, Dept. 2, now on file and of record in this office.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Court at my office, Las Vegas, Nevada, the 15th day of November, A.D. 1950.

[Seal]

HELEN SCOTT REED,
Clerk.

/s/ ALDENA MANG,
Deputy Clerk. [142]

EXHIBIT No. 10

In the Eighth Judicial District Court of the State
of Nevada, in and for the County of Clark.

BASILIKI ANDRE FITSOS,

Plaintiff,

vs.

JOHN PETROS FITSOS,

Defendant.

DECREE OF DIVORCE

The above-entitled cause came on regularly for trial this day before the Court, sitting without a jury, plaintiff appearing in person and by Schultz and Schultz, Attorneys at Law, and the defendant appearing by Attorney William G. Ruymann, and the Court having heard the evidence of witnesses sworn and examined in open court and the cause having been submitted for decision and judgment, and the Court being fully advised finds:

That the Court has complete jurisdiction in the premises both as to the subject matter thereof and as to the parties thereto; that all of the allegations of plaintiff's complaint are true; that the plaintiff is now and for more than six weeks immediately preceding the commencement of this action has been an actual, bona fide resident and domiciliary of the County of Clark, State of Nevada, actually and physically residing and being domiciled therein during all of said period of time; that plaintiff is en-

titled to an absolute decree of divorce on the grounds set forth in the complaint; and that defendant has expressly waived findings of fact, conclusions of law, and written notice of decision in this cause by stipulation in open court;

Wherefore, it is Ordered, Adjudged and Decreed:

That the bonds of matrimony heretofore and now existing between plaintiff and defendant be, and the same are hereby wholly dissolved, and an absolute decree of divorce is hereby granted to plaintiff, and each of the parties hereto is hereby restored to the status of a single, unmarried person.

It is Further Ordered, Adjudged and Decreed, that the Property Settlement Agreement heretofore made and entered into by and between [143] the parties hereto, on the 15th day of June, 1950, be, and the same is hereby ratified, approved, and made a part of this decree, and that the parties hereto be, and they are hereby ordered to comply with the terms and provisions thereof, and that said Property Settlement Agreement shall survive this decree.

It is Further Ordered, Adjudged and Decreed that the plaintiff's former name of Basiliki Andre Yannoulia, be restored to her.

Dated and Done at Las Vegas, Clark County, Nevada, this 8th day of September, 1950.

/s/ A. S. HENDERSON,
District Judge. [144]

EXHIBIT No. 11

Statement made at Washington, D. C., on September 14, 1950, by one John Petros Fitsos.

Present:

John Petros Fitsos, Witness.

Samuel M. Reichman, Acting Immigrant Inspector.

Statement made in the English language.

To the Witness:

Q. You are informed that I am an Acting Immigrant Inspector, United States Immigration and Naturalization Service, and as such am authorized by law to administer oaths and take testimony in connection with the enforcement of the immigration laws. I desire to take a sworn statement from you concerning a complaint you have made concerning your wife Basiliki Andre Fitsos. Your statements are to be voluntary, and you are warned that should it be found you have wilfully testified falsely you may be subject to prosecution for perjury, the penalty for which is imprisonment not to exceed five years or a fine not exceeding \$2,000.00, or both such fine and imprisonment. Do you understand, and under these conditions are you willing to make a sworn statement? A. Yes.

Q. Please stand and raise your right hand. Do you solemnly swear that the statements you make at this time will be the truth, the whole truth, and nothing but the truth, So Help You God? A. Yes.

Exhibit No. 11—(Continued)

Q. What is your true and correct name?

A. John Petros Fitsos.

Q. Are you a citizen of the United States?

A. Yes. (Presents C/N No. 6092918, Petition 21294, showing John Petros Fitsos was naturalized in the United States District Court for the District of Columbia at Washington, D. C., November 2, 1948, reverse showing name changed by decree of court from Ioannis Petros Fitsios as part of the naturalization. Certificate returned.)

Q. You have told me you married in Nassau, March 27, 1950, and that you have filed a complaint for annulment of marriage. From what country does your wife come? A. She comes from Greece.

Q. How long had your wife been in Nassau, when you were married?

A. She came over there about March 19, 1950, from Greece.

Q. How did she arrive in Nassau from Greece?

A. She came via BOAC Airlines. [145]

Q. Where did you first meet your wife in person?

A. In Nassau, I believe she arrived there the 24th of March, 1950, leaving Athens the 19th, and I arrived in Nassau on the 24th of March, 1950. I went from Miami to Nassau by boat.

Q. Where in Nassau did you first meet her?

A. At a Greek agents, by the name Klonaris.

Q. Where and on what date in Nassau were you married to Basiliki Andre Fitsos?

A. March 27, 1950, at the City Hall.

Exhibit No. 11—(Continued)

Q. Do you have a marriage certificate?

A. My lawyer has it and I have a copy home. I can bring it if you need it.

Q. Were you ever married prior to that time?

A. No.

Q. How old are you? A. 55.

Q. How old is your wife?

A. She says she was born in 1912. According to that she is about 38.

Q. To your knowledge, was she ever previously married?

A. She said to the United States Consul, she never was married.

Q. When did you return to the United States from Nassau?

A. I believe it was the 14th of April, 1950, at Miami, via BOAC plane from Nassau.

Q. Did your wife come to Miami with you?

A. Yes, on the same plane.

Q. Where did she get her visa?

A. The Agent in Nassau got all my papers and sent to Mr. Nicholson in Washington, then Mr. Nicholson took care of it and a few days later the visa came to the American Embassy in Nassau.

Q. Did you and your wife appear before the American Consul in Nassau?

A. Yes. We went 3 or 4 different times before leaving and paid some fees, and my wife went through some doctor's examinations. We got the visa one afternoon and left Nassau the next day at noon.

Exhibit No. 11—(Continued)

Q. Have you seen your wife since arriving in Miami, about April 14, 1950?

A. Yes. I went to Los Angeles the 27th of April, 1950. I stayed until July 1, 1950. After an argument with me, my lawyer got the papers started. [146]

Q. You were married in Nassau on March 27, 1950, and were there with your wife until April 14, 1950. During that time, did you and your wife live together? A. No.

Q. Where did she stay during that time?

A. We stayed in the same building, an apartment house, across from Klonaris' place, but in separate rooms, sometimes in the same room, but separate beds.

Q. Why did you not stay in the same room with her all the time?

A. Because she said we cannot sleep together until we were married in the Greek Orthodox Church.

Q. During the time you were in Nassau, did you ever have any sexual intercourse with your wife?

A. I never did at all. She wouldn't let me. She said that marriage in Nassau was just an engagement, that we have to go through the Greek Orthodox Church before we sleep together.

Q. Then, at the time when you came to the United States with your wife, you had never engaged in sexual intercourse with her. Is that correct? A. Yes. Nothing except kisses.

Q. Well, what happened when you got to Miami?

A. After we got through with the immigration in

Exhibit No. 11—(Continued)

Miami, I put her on a Delta Airlines plane, changing in Atlanta to American Airlines, for Los Angeles, to her Brother, Ted Giannos, 813 South Mariposa Ave., Los Angeles 5, California.

Q. Why didn't you go to Los Angeles with her?

A. Her brother told me that we didn't have to get married right away, that I could go to Malone, N. Y., to take care of my brother-in-law's business so he and his wife could go to Greece, but my brother-in-law had somebody already, and after ten days, stay in Malone, I left to go to Los Angeles, to meet my wife.

Q. I understand, then, that the maiden name of your wife is Giannos?

A. No, it was Basiliki Andre Yannoulia. Adds—her brother had told me we could get married in Los Angeles. I told him we could get married in the Greek Orthodox Church in Nassau, and he refused me that, and that is why I believe he was planning to bring his sister to the United States, and now what happened to me, she doesn't want to live with me.

Q. Was there any other reason why you could not be married in the Greek Orthodox Church in Nassau?

A. No. He wanted us to do it in Los Angeles because he had a few people from his home town to be witnesses for his sister's marriage. That was his excuse so he could bring her to the United States, that is all. [147]

Exhibit No. 11—(Continued)

Q. Do you have the paper telling you a visa petition had been approved in behalf of your wife?

A. No. (Several days ago the witness showed notice from the Central Office, dated April 5, 1950, showing petition approved, VP428307, addressed to John Peter Fitsos, c/o Siterios Nicholson, Burlington Hotel, 1120 Vermont Avenue, Washington, D. C. Note: Nicholson is a local Attorney.)

Q. Will you please tell me how you happened to learn about your wife?

A. My brother, George Fitsos, works at the Brown Derby, Captain or Waiter, and her brother works in the same place as bartender. Her brother was bothering my brother for a long time, that he had sister in Greece he would like to bring over. My brother thought both ages matched, and he thought they were good people, so about June of last year, 1949, he went with a picture of his sister to my brother's house, and they sent the picture to me in Washington. Later I corresponded with her brother, and my brother advised me that was good people, and go ahead, bring her over, but the picture they gave me was about ten years younger.

Q. Did you ever correspond with your wife?

A. I wrote about three letters, and she answered. She never asked me then, what she asked face to face in Los Angeles.

Q. In your letters, did you agree to marry her?

A. Yes.

Q. Who was to pay her expenses to come to the United States?

Exhibit No. 11—(Continued)

A. It was 50-50, me and her brother.

Q. And did he pay any part of her expenses?

A. He gave me \$500.00. I spent about \$700.00 more.

Q. Who paid for her ticket from Greece to Nassau?

A. Her brother sent me \$400.00 and another \$100.00 and I sent Klonaris in Nassau \$563.80, for the ticket from Greece to Nassau for my wife.

Q. Then, did you pay her expenses in Nassau and to the United States?

A. Yes, then I bought her ticket and mine to come to Miami, and a ticket for her to Los Angeles. I bought those tickets in Nassau at the office of the BOAC Airline.

Q. Where does your brother live in Los Angeles?

A. 5554—North Hollywood, 5554 Carpenter Avenue.

Q. When you arrived in Los Angeles about April 27 or 28, 1950, did you and your wife start living together?

A. I went to the Information in Sante Fe Station. I got the number and called her brother's house, as well as he told me before, his house would be my house until we were settled. Her brother's wife was on the phone, and she told me we haven't got any place here, you better go to a hotel. So I asked for my wife, and my wife got on the line, she said, when did you get to town, and I told her I just got in town. She said don't say to any Greek

Exhibit No. 11—(Continued)

we stayed together 3 weeks in Nassau, and I asked why as we are married already, and she said that was no marriage, that wasn't even an engagement, because here we have some bad Greeks, with bad mouths. I said I had nothing to do with them. After a few days she put up the requirement, she acted very different from what she did in Nassau. [148]

Q. What requirements?

A. She said I don't want you to marry in the Greek Church if you do not show me what you have. I have to have \$5,000.00, in checking account in her name, an automobile for her, an apartment house for five families, and for me to go in business and then she would marry me in the Greek Church. I asked why she didn't write me all that from Greece and I could give her the answer, now I married you and brought you to the United States and you ask me for all those things. She said she wouldn't marry unless I had the requirements. I told her we were married like everyone else, and she said that was no marriage.

Q. Where did she tell you all this?

A. She came to my brother's house one Sunday night with her brother and his wife, and told me in front of my brother and my brother's wife and my brother's son. Before this, once while riding in her brother's car, she told me the requirements.

Q. Where did you stay in Los Angeles?

A. At my brother's house.

Q. Where did she stay?

A. At her brother's house.

Exhibit No. 11—(Continued)

Q. Did you ever live with her in Los Angeles?

A. No.

Q. Did you ever engage in sexual intercourse with her in Los Angeles?

A. No. Even she wouldn't get close to me in the car.

Q. Have you ever had any sexual intercourse with her any place else in the United States?

A. No. I only saw her in Nassau and in Los Angeles.

Q. Then, as I understand it, you have never had sexual intercourse any place with your wife. Is that correct?

A. Yes. I only saw her twice in Los Angeles.

Q. When did you leave Los Angeles to return to Washington?

A. The first of July, 1950, after my lawyers had the case.

Q. What case have your lawyers?

A. They started suit for annulment. Her brother said he would fight that, and their lawyer said to go to Los Vegas to get a divorce, and she is there now, and I believe she is done. I will know. It was supposed to be a divorce the 8th of September. She put in the papers that it was for mental cruelty, because she wants to stay in the United States, and that is why her lawyer advised that.

Q. Do you have a copy of the Complaint for Annulment? (Yes. Presents copy, Attorneys Gang, Kopp and Tyre, 401 Taft Building, Los Angeles 28,

Exhibit No. 11—(Continued)

California, John Fitsos vs. Basiliki Andre Fitsos a/k/a Basiliki Andre Yannoulia also known as Basiliki Andrew Grannoulia, in the Superior Court of the State of California, in and for the County of Los Angeles. The copy does not show the number or the date. Returned.) [149]

Q. What action do you desire this Service to take concerning your wife?

A. I wish her to be deported because she married me crooked.

Q. Where do you live?

A. 123 Longfellow St., N. W. Washington, D. C.

Q. Where are you employed?

A. I am not working right now. I want to show the Immigration I did not marry her just to bring her here and then divorce her. I married her to have a home, but she asked so many large requirements that it was impossible.

/s/ JOHN PETROS FITSOS.

The foregoing, consisting of six (6) typewritten pages, is a correct record of the testimony in this case, taken directly on the typewriter at Washington, D. C., this 14th day of September, 1950.

/s/ SAMUEL M. REICHMAN,

Acting Immigrant Inspector.

EXHIBIT No. 12

Statement of John Peter Fitsos
in the case of
Basiliki Andre Yannoulia

Taken in the Washington Field Office, Immigration and Naturalization Service January 12, 1951, by Investigator G. G. Podrasky.

Q. I am an acting Immigrant Inspector of the United States Immigration and Naturalization Service and desire to question you, under oath, concerning the purpose of your coming to this office and reporting the conditions of you and the subject. Any statements which you make must be voluntary and may be used by the Government as evidence in any deportation or criminal proceedings. Are you willing to make such a statement freely and voluntarily under oath? A. Yes, sir.

Q. Stand, raise your right hand and be sworn. (Complies.) Do you solemnly swear that all the statements you are about to make will be the truth, the whole truth and nothing but the truth, so help you God? A. Yes, sir.

Q. What is your name?

A. My name John Peter Fitsos.

Q. When and where were you born?

A. Pyrhos, Greece.

Q. Of what country are you a citizen?

A. United States.

Q. What is your race? A. Greek.

Q. Are you married? A. No, sir.

Exhibit No. 12—(Continued)

Q. Were you ever married?

A. Yes, I was married but I am now divorced.

Q. Give the name, nationality and address of your former spouse?

A. Basiliki Andre Yannoulia, Greek nationality and her address is 813 S. Mariposa, Los Angeles, Calif.

Q. Will you state for the record why you are here?

A. Yes, because they blame my brother and my sister-in-law for our separation which that is nothing but lie. Hard feelings begin when she wire me, "Give me \$5,000 in cash," in her name to be deposited in a bank, apartment house for five families to be furnished. I have to go in business there in Los Angeles, California. She never will move from Los Angeles with her brother there to go to any city of the United States with her former husband. She also wants an automobile. So I answered, "Why don't you [151] write me from Athens about all these things prior to your coming to the United States?" My answer was, "City of Los Angeles is too large for me. I am a strange person in L. A., California. I be known in Washington, D. C., for the past fifteen years and I have earned my living here and am well acquainted with the conditions in said city; or in the State of North Carolina, preferably Wilmington, as I was in business there during the war—World War II."

She says, "What are you going to do in Washington, put me in the whorehouse in Washington?" I

Exhibit No. 12—(Continued)

even offered to buy a home and business in Santa Barbara, Cal., and she still say she will not leave her brother for any distance of miles. So I said, "Who are you married to, your brother or me?" She made the statement that we were not married. So I said, "We'll find out whether we are married or not. Everybody else in the United States is married in the same way. We don't have to go to the Greek Church to seal the marriage and for all those things you are both lying," my wife and her brother, and they blame my brother and sister-in-law for our separation which are the facts that I have just stated. I have heard from my brother last week, by mail, that my wife had a hearing and that they have blamed my brother and his wife for our separation and final decree of divorce. That is why I am come to this office to clarify the statements of my wife in behalf of my brother and sister-in-law so that they could not be accused by my former wife.

Also, I hear from my brother in his letter that my ex-wife had a chance to marry on Thanksgiving Day some other Greek. That is the second time. They never told the man she was married to me and I am the one who brought her from Greece. They had everything prepared for their wedding and my ex-wife went the day before and spoke to the groom. She said to him, "I want to have \$10,000 in my checking account in my name in the bank, Cadillac automobile, apartment house for ten families and then we get married." So the poor guy

Exhibit No. 12—(Continued)

says to her, "Why don't you wait to get married first and we"—like I told her—"buying something." So he pulled out a coin from his pocket and said to her "You take this and take a streetcar and go where you come from," meaning to go home to her brother. All those things a friend of my brother told him; my brother don't know who was the groom but a friend of my brother told him. That is the way I know these things.

I still have respect for the laws of the United States and I think she has no respect which I got for thirteen years and I'd like to see her [152] deported.

(Informant presents a document prepared by the firm of Gang, Kopp and Tyre, 401 Taft Bldg., Los Angeles 28, California, Annulment for Marriage between John Petros Fitsos, Plaintiff, vs. Basiliki Andre Fitsos, also known as Basiliki Andre Yannoulia, also known as Basiliki Andre Grannoulia, Defendant in the annulment proceedings of their marriage.)

Q. Were the proceedings in this annulment ever finished? A. No, we got a divorce.

Q. Why haven't the proceedings of this annulment ever been completed?

A. Because they come up with their lawyer and said they were going to fight the case and I was sick and tired of it all so my lawyer said to let her go to Reno and get the divorce and "You go to Washington and work." And their lawyer said:

Exhibit No. 12—(Continued)

“You have to pay the court costs.” I figured the cheapest way for me was to let her go ahead to Nevada and get the divorce.

Q. In this document it is noted that you were married on the 27th day of March, 1950, and the place of marriage was Nassau, Bahamas. The parties never lived together as husband and wife and the date of separation, therefore, is the 27th day of March, 1950, the date of the marriage, and no time elapsed between the date of marriage and the date of separation and that there is no issue of said marriage. Was your marriage ever consumed?

A. She never let me so that's why I went upstairs.

Q. What do you mean about going “upstairs”?

A. I mean I got on my pajamas and took another room. As long as a person won't give it to you, why fight about it. She said, “Respect me until we go to a Greek Church” but they had in mind to take a dowry first in the form of \$5,000 and securities.

(Informant presents document, Case #49887, Department #2 in the Eighth Judicial District Court, State of Nevada, in and for the County of Clarke, Basiliki Andre Fitsos, Plaintiff, vs. John Petros Fitsos, Defendant. This document is a Decree of Divorce issued at Las Vegas, Clarke County, Nevada on the 8th day of September, 1950, by the District Judge, A. S. Henderson. This copy is verified to be true and correct copy of the original by Helen Scott Reid,

Exhibit No. 12—(Continued)

Clerk, and Joanne Shepp, Deputy Clerk of said Court.)

Q. Are there any further statements you wish to make at this time?

A. That's all I have. No further statements to make. [153]

Q. I wish to thank you for coming in here and making this statement in behalf of the Immigration Service.

/s/ G. G. PODRASKY,
Investigator.

I hereby certify the foregoing pages 1 to 4, inclusive, are a true and correct transcript of my shorthand notes taken during this examination.

/s/ CHARLES H. RYAN,
Stenographer. [154]

EXHIBIT No. 13

Deposition of John Peter Fitsos in the Case of
Basiliki Andre Giannoulis Fitsos, File A-
7451818 T.

Date: February 4, 1952, 1:45 p.m.

Place: Washington Field office.

Deportation Examiner: E. A. Bloberger.

Examining Officer: Wm. P. Kilmain.

Stenographer: Charles H. Ryan.

Witness: John Peter Fitsos.

Exhibit No. 13—(Continued)

Interpreter: Peter Monocrusos, 811 14th St., Washington.

Counsel for Respondent: Robert T. Reynolds.

Proceedings Conducted Through Greek Interpreter.

Deportation Examiner to Interpreter:

Q. Will you please stand and raise your right hand? (Complies.) Do you solemnly swear that you will, to the best of your ability, interpret from English into Greek and from Greek into English the questions asked and answers given during the course of this proceeding, so help you God? A. I do.

Q. (Deportation Examiner to Examining Officer): What is the nature of the proceeding?

A. This is a deposition requested by the Los Angeles Office, requesting that one John Petros Fitsos be questioned under oath concerning his relationship with his former wife, Basiliki Andre Giannoulis.

Q. (Deportation Examiner to Counsel): Do you represent the defendant in the proceedings now being conducted in Los Angeles?

A. I represent in association with a Los Angeles attorney, Mr. Robert S. Butts.

Q. Are you ready to proceed with the taking of the deposition? A. I'm ready.

Q. (Deportation Examiner to Deponent): Do you speak and understand the English language?

A. Very good.

Q. The services of an interpreter competent in the Greek language are available to you. If you find

Exhibit No. 13—(Continued)

it necessary, please use his services. Do you understand? A. Yes.

Q. Will you please state your full and correct name? A. John Peter Fitsos. [155]

Q. Will you please stand and raise your right hand? (Complies.) Do you solemnly swear that the statements you are about to make will be the truth, the whole truth, and nothing but the truth, so help you God? A. Nothing but the truth.

Deportation Examiner to Examining Officer: Mr. Kilmain, you may proceed with the examination.

Q. (Examining Officer to Deponent): Of what country are you a citizen? A. United States.

Q. Are you married or single?

A. Now I'm married.

Q. Is this your first or second marriage?

A. Second.

Q. What was your first wife's name?

A. Basiliki Andre Giannoulis.

Q. When did you marry her?

A. 27 March of 1950, in Nassau, Bahamas.

Q. I now show you a certified copy of a Marriage Certificate, attached to Visa Petition No. 619311, showing the marriage between one John Petros Fitsos and Basiliki Andre Giannoulis on March 27, 1950, and ask if that refers to your marriage?

A. That is my former wife; yes, sir.

By Counsel: No objection.

Q. (Examining Officer to Deportation Exam-

Exhibit No. 13—(Continued)

iner): I'd like to introduce this Marriage Certificate for the purpose of identification only.

A. The same is received and marked as Exhibit "A."

Q. (Examining Officer to Deponent): I now show you a Question & Answer Statement taken at this office on September 14, 1950, marked Exhibit 11, and ask if that is your signature?

A. (Examines document): Yes, sir; that is mine.

Q. And did you make this statement?

A. (Statement read by Deponent with assistance of interpreter.) Yes, that is correct.

Q. I now show you a Question & Answer Statement dated January 12, 1951, marked Exhibit 12, purportedly given by you, and I ask you to look it over and state whether or not you gave that statement under oath. [156]

A. Yes, sir; I did give that statement under oath.

Q. How did you first become acquainted with your first wife?

A. By picture. Her brother works with my brother and her brother showed a picture, so they sent me the picture; and her brother was going to Greece on September 10, 1949, and he liked to see me in person. I used to work for the Diamond Cab Company and I went to New York City and I meet him.

Q. When did you get the picture?

A. They sent it from California.

Q. What is your brother's name?

Exhibit No. 13—(Continued)

A. George Peter Fitsos.

Q. What was her brother's name?

A. Ted Giannoulis.

Q. Where did your brother and her brother work? A. Brown Derby in North Hollywood.

Q. As I understand, her brother in North Hollywood sent you a picture?

A. He didn't know me; he knew my brother because they worked together and, like friends, he said, "George, I got a sister in Greece. I'd like to bring her over and do you have any brothers?"

Q. Who sent the picture to you?

A. Her brother, Ted.

Q. Did you know Ted Giannoulis prior to that?

A. No.

Q. When you got the picture of this girl were you told at that time that she would be a prospective wife?

A. He said he was going to Greece and " * * * if she wants to come over by plane or boat I'll let you know."

Q. Who said that?

A. He was going to Greece.

Q. Who is "he"?

A. Ted Giannoulis, her brother.

Q. He told you that?

A. Yes, if she wants to come.

Q. Then, I take it you met Ted Giannoulis before he went to Greece?

A. Yes, I meet him in New York City at his sister-in-law's place.

Exhibit No. 13—(Continued)

Q. Did you know his sister-in-law prior to that?

A. I saw her a day or two he was there—at 105 55th Street, New York City.

Q. How did you get to Ted Giannoulis' sister-in-law's house? Did you know her?

A. That was his address he gave to me by mail to meet him there. [157]

Q. You got a letter from Ted to meet him at his sister-in-law's house in New York City and you did meet him? A. Yes.

Q. When you met him there did you discuss marrying his sister with him?

A. Only five minutes at a hotel in New York City. He said, "She's a nice girl and so and so," and that's all.

Q. And did you agree to marry her then on his say-so? A. Yes, sir.

Q. And, up to that time, you had only seen her picture? A. That's all.

Q. Had you received any letters from her?

A. Three letters.

Q. Did you receive these letters after you had received her photograph from Ted Giannoulis?

A. Yes, sir.

Q. Who wrote the first letter, you or her?

A. I did.

Q. And she answered your letter?

A. Yes, sir.

Q. What time of the year was that?

A. That was the beginning of 1950 after her brother come back. He came back 8th of January,

Exhibit No. 13—(Continued)

1950, and he told me, "Well, we can do nothing from Canada," and then he gave me \$300 to help me on the expenses.

Q. Her brother came back from Europe and said he could do nothing from Canada?

A. From Montreal.

Q. Then he gave you what?

A. He gave me \$300 for the expenses, for the ticket for her.

Q. Where was she coming to?

A. She decided to come to Nassau from Greece.

Q. And when he gave you the \$300 what did you do with it?

A. I notified a certain person in Nassau, Bahamas, and he told me the ticket cost \$568 and some cents, and right away I paid the rest, the difference. I bought the ticket.

Q. Who was the man you notified in the Bahamas? A. Klonaris Brothers in Nassau.

Q. What did the Klonaris Brothers in Nassau do?

A. They got business like that, bringing brides from Europe to Nassau. [158]

Q. And who told you about the Klonaris Brothers?

A. We saw it in the newspaper, Greek paper.

Q. Then they arranged to bring your first wife to Nassau?

A. That's right, and until she came over she answered back about three or four letters to me of my mail.

Exhibit No. 13—(Continued)

Q. Did she tell you when she was coming?

A. She was notify her brother.

Q. How did you know she was in the Bahamas?

A. Her brother send me a message.

Q. Had she told you she would marry you before she left Greece? A. Yes.

Q. Did you plan on getting married in the Bahamas?

A. Yes, sir. I told her brother I'd get married in the Greek Orthodox Church in the Bahamas.

Q. Do you remember the date she arrived in the Bahamas?

A. It was 19th or 21st, March, 1950.

Q. When did you go to the Bahamas?

A. I got there about twelve hours later by boat from Miami.

Q. Did you meet her in the Bahamas?

A. Yes, sir; in the Klonaris place.

Q. Were you introduced by somebody?

A. By Klonaris and his wife.

Q. Did you decide to get married in the Bahamas at that time?

A. Yes, sir; right away, just a few days later.

Q. Who suggested marriage, you or her?—or, who said to get married?

A. That was the purpose of our meeting there.

Q. Where were you married in the Bahamas?

A. At the City Hall, I believe.

Q. Was this a civil or a church ceremony?

A. He had a black robe.

Exhibit No. 13—(Continued)

Q. Was he a minister or priest of the Greek Church? A. No, sir.

Q. Was he a minister or priest of any church, or was he a civil official?

A. I think he was a priest; maybe he was a Catholic or Presbyterian. He had a black robe, that's all I can say. It was in the City Hall, just main office.

Q. Then, as I understand from your statement, you don't know for sure whether it was a civil marriage by an official of the government or a church marriage by an official of some church? [159]

A. Civil marriage. Mr. Klonaris called it civil marriage.

Q. Did you consider yourself married after this civil marriage?

A. Yes, I was married when I married that way.

Q. Did your wife consider herself married?

A. No. She said that was no marriage; it was not even an engagement.

Q. Why did you go through a civil ceremony rather than a church ceremony if the feeling of your wife was that she was not married?

A. I asked her brother by mail the cheapest way and best way to go through the Greek Orthodox Church so I go through at once, but he wanted it in California.

Q. Did you ask your wife to get married with a church ceremony in the Bahamas?

A. Yes, but she said, "No, we do it in California."

Exhibit No. 13—(Continued)

Q. When did your wife first inform you that she did not consider this civil ceremony as a legal marriage? A. She told me there.

Q. Before you married her?

A. After we was married she told me. In California.

Q. Did she tell you in the Bahamas or in California?

A. In California she tell me about that.

Q. My question was: When did your wife first inform you that she did not consider this civil ceremony as a legal marriage? Was that before the ceremony or after the ceremony? A. After.

Q. Was that while you were still in the Bahamas, or after you left? A. After we left.

Q. How long did you remain in the Bahamas after this civil ceremony?

A. About three weeks.

Q. Where did you reside during that three weeks?

A. At Klonariss Hotel, for people they bring from Europe.

Q. Did you and your wife occupy the same room?

A. I stay one night in the same room, but different bed after she told me she no want to sleep in the same bed until we go through the Greek Orthodox Church.

Q. Did your wife say why she didn't want to sleep in the same bed until after you went through the ceremony in the Greek Orthodox Church?

Exhibit No. 13—(Continued)

A. That's all she said; she wanted to be married by a Greek priest. "Respect me," she said.

Q. And you slept in the same room but in the different bed?

A. One night; and then I went to a different floor. [160]

Q. I think you stated you stayed in the Bahamas approximately three weeks?

A. Yes, sir; from 21 or 20 March to 14th of April.

Q. If your wife stated she did not want to carry on marital relations with you until after you were married in the Greek Church, why didn't you suggest that you get married in the Greek Church in the Bahamas?

A. I did; I suggested to her brother and to her.

Q. Where was her brother?

A. In Los Angeles.

Q. Why didn't you get married in the Greek Church in the Bahamas?

A. She no want to and he no want to. They say, "We have quite a few friends from the old country there," and they like to have the marriage in Greek Church in Los Angeles.

Q. Why did you bother going through a civil ceremony in the Bahamas?

A. For my own way, I was married; but she want to go through Greek Church.

Q. Did you know why she bothered going through such a ceremony if she felt she would not be married?

A. I don't know.

Exhibit No. 13—(Continued)

Q. Didn't you both know that she could not get into the United States at that time unless she were married to an American citizen?

A. I guess she be know; I don't know. I guess her brother know all that stuff.

Q. Did you know it?

A. I know she couldn't get into the United States if she's not married to an American citizen; and I know the penalty for me to do anything wrong like that.

Q. Was that the reason you married her at that time * * * so she could get into the United States?

A. I married the girl to have a wife, but I didn't know she was going to ask so much and have so many requirements later.

Q. Did you ask your wife to go through a church ceremony in the Bahamas? A. Yes, sir.

Q. Even though your wife refused to go through with this church ceremony and refused to have marital relations with you, did you remain on a friendly basis with her?

A. Yes, we was friends.

Q. Did you talk over with your wife, before the civil ceremony, the question of whether or not you would live as man and wife after the civil ceremony? A. No, sir.

Q. Did you think, when you went through this civil ceremony, that your wife would immediately start living with you as your wife?

A. Yes, sir; I know it. She's my wife when we get through the marriage. [161]

Exhibit No. 13—(Continued)

Q. You thought she would act like your wife?

A. Yes, that we would sleep together.

Q. The first night after you were married, you stated, you slept in the same room but in different beds?

A. Yes, sir.

Q. Did you make any attempt to sleep in the same bed?

A. I did. I took off my clothes and went to bed and she said, "John, I want you to respect me until we go through the Greek Orthodox Church," so I said, "O.K., I'll get out; I'll show you I'm a gentleman."

Q. This happened the first night you were married?

A. Yes, sir.

Q. Did you ask her to act as a wife at any other time down there?

A. Just kissed her, that's all.

Q. You didn't ask her to sleep with you any more after the first night?

A. No, sir.

Q. You didn't try to convince her in any manner?

A. I told her this is a marriage just like the Greek Church. She said that wasn't even an engagement.

Q. When you left the Bahamas did you leave with your wife?

A. Yes, sir.

Q. You left together?

A. Yes, sir.

Q. Where did you come to?

A. Miami, Florida, to the Immigration authorities. I paid duty.

Exhibit No. 13—(Continued)

Q. How long did you remain in Miami?

A. About an hour and a half and then she got the airplane. I had the tickets from Nassau and she went to her brother and I went ten days later to California.

Q. Where did she take the airplane to?

A. To Los Angeles, California.

Q. And you went ten days later to Los Angeles, California? A. Yes.

Q. Why didn't you go with your wife?

A. Because I have to go to my brother-in-law's. He was planning to go to Greece and maybe they have someone to put in the store and they had already engaged a person from New York City to go to Malone to work.

Q. So, after that was straightened out, you went to Los Angeles? A. Yes. [162]

Q. When your wife left Miami to go to her brother in Los Angeles were you still friendly with her? A. Still friends same way, yes.

Q. Did you tell her then that you would join her later in Los Angeles? A. Yes, I did.

Q. Did you tell her then that you wanted to go through a church ceremony in Los Angeles?

A. Yes.

Q. And did she agree to it at that time?

A. Yes.

Q. Did she say anything to you * * * put any conditions on this church ceremony? Did she tell you you had to live in any certain place?

A. No, sir.

Exhibit No. 13—(Continued)

Q. When you arrived in Los Angeles, where did you proceed to go?

A. I went to the Information and I got for the telephone number.

Q. Did you go to her house?

A. I go to call on the telephone and she says to me, "Don't say nothing to nobody we married in Nassau, Bahamas. Don't say it to any Greek that we stayed together in the Bahamas because that was no marriage."

Q. Where did you go to live?

A. In a hotel the first night.

Q. Did she come to the hotel to you?

A. No, sir.

Q. You said you stayed in the hotel the first night. Then where did you go?

A. My brother's house.

Q. Did you remain at your brother's house while in Los Angeles?

A. Yes, sir.

Q. Did you, at any time while in Los Angeles, ever live in the same house with your wife?

A. No, sir.

Q. Did you ever sleep in the same house?

A. No, sir.

Q. Did she agree to go through a church wedding in Los Angeles?

A. That is what she say, but no certain date. "We got lots of time to get married," they said.

Q. Did she place any conditions on why she would marry you?

Exhibit No. 13—(Continued)

A. She put up the next day when we went for ride. Then she put up the requirements.

Q. What were the requirements?

A. She asked me for \$5,000 put in her name, apartment house for five families, [163] buy furnitures and buy an automobile. "Otherwise, I won't marry you through the Greek Orthodox Church if you won't buy those things." I said, "Why don't you write me from Greece all those things and I show you if your foot steps on United States soil."

Q. How long were you separated from your wife from the time you left Miami until you got to Los Angeles? A. About ten days.

Q. Did you go to Los Angeles with the intent of going through a church ceremony?

A. Yes, sir.

Q. Was that the only reason you went to Los Angeles?

A. To get married in the Greek Church.

Q. Did you tell anyone in Los Angeles that you were coming there?

A. No, sir; only when I call up from the Santa Fe Railroad Station.

Q. You didn't send a letter to your wife or her brother that you would be there in ten days?

A. Yes, before I left Malone, New York.

Q. Who did you send the letter to?

A. To Ted Giannoulis, and one to her.

Q. When you first arrived in Los Angeles and you called on the telephone, who did you call for, your wife or Ted Giannoulis?

Exhibit No. 13—(Continued)

A. I called Ted Giannoulas' wife, so she said, "Why don't you send us message before you reach?" so I said the train was going through nights from big cities and I was sleeping. So she said, "Go to a hotel. We haven't got no place for you here." I said, "O.K." So I said, "Put my wife on the telephone," so she put the wife and the wife told me, "Don't say to any Greek here we stayed together in Nassau."

Q. You talked to your wife on the telephone?

A. Yes.

Q. When did you first see your wife after you arrived in Los Angeles?

A. Couple of days later we went for a ride.

Q. Did you talk with your wife over the telephone any time during those couple of days, except the first time?

A. Yes.

Q. Did you ask her to marry you again?

A. Not on the telephone. That was when we went for ride.

Q. When you talked to your wife the first night, did you ask her to come to the hotel with you?

A. I haven't talked from the hotel with my wife; I talked from the railroad station.

Q. Did you ask her to come to the hotel with you?

A. No. [164]

Q. Did she ask you to come and see her?

A. The only conversation we had was I talked to her brother's wife and then I call for her and then she give me hell and I understood something was coming. She said, "Don't talk to any Greek."

Exhibit No. 13—(Continued)

Then, I never like to talk to her on telephone; I like to see in person.

Q. Did she ask you to come and see her?

A. No, sir.

Q. Did she ask you to take her out?

A. They give me an appointment for a couple of days later.

Q. Your wife? A. No.

Q. Did she tell you not to come and see her?

A. She didn't mention nothing like that. The only thing she said was not to mention living together.

Q. Now, you state your wife asked for certain requirements, or property settlements, to be made before you were married. Just when was this request made of you?

A. When we went out with her brother, his wife, and my wife on some big hill.

Q. That's the time she made this demand on you? A. Yes.

Q. Are you sure you went with her brother and his wife and your wife and you? A. Yes, sir.

Q. Was your brother and his wife there?

A. No, sir; but from there we went to my brother's.

Q. The whole group went to your brother's?

A. Yes, sir.

Q. When you went to your brother's house, I understand you to say that your wife, your wife's brother and his wife, all went to your brother's house? A. Yes, sir.

Exhibit No. 13—(Continued)

Q. Was there a demand made at that time, or any talk of these requirements?

A. The matter was already done outside and we discussed it again when we came back home with my brother.

Q. That was the second time? A. Yes.

Q. Who made these demands of you? Did your wife demand these things?

A. She did. She told me. Now, I don't know who told her.

Q. But she told you? A. Yes.

Q. And she told you in the presence of her brother and his wife; and, later on, in the presence of your brother and his wife? [165]

A. Yes, sir.

Q. What did her brother and his wife have to say regarding these plans? Were they in favor of them or against them?

A. In favor of them, her brother says to me a couple of days later when I meet him outside.

Q. At the time you were talking about it first, did her brother say anything?

A. No, but he was in favor of his sister for me to put up all this money.

Q. What did his wife say * * * her brother's wife, when you talked about it?

A. Nothing in front of me.

Q. When you later on discussed it at your brother's house, did your brother and his wife say anything?

Exhibit No. 13—(Continued)

A. My sister-in-law and my brother said, "They are married." They say to them, "Why don't you ask John?" while my wife was in Athens. "Why don't you write from Athens before you reach the United States? Why don't you ask to him before you come to this country? Why you come here, to rob the man or to marry a good person, a good hardworking man?"

Q. At that time did your wife's brother and his wife say anything?

A. Right there they was in favor for my wife. They agreed they was like it for me to put up check and give \$5,000.

Q. Did they say so? A. Yes, they liked it.

Q. How did you know they liked it?

A. I could see what they say to my brother about it.

Q. What did they say?

A. My brother said, "What's the matter? Why didn't you write from Athens?" So her brother come up and said, "She don't have to write from Athens. She can tell it right here; we got plenty of time to get married in Greek Orthodox." And they mentioned getting married in November, 1950.

Q. When your wife made these demands on you, did you have enough property and money to give these things to your wife?

A. I had something but I'm not going to get married the way she wants, in her name, and I didn't know the girl.

Exhibit No. 13—(Continued)

Q. Did you have the \$5,000 and the five apartments?

A. I didn't have the apartments; I might have had the \$5,000.

Q. Before you got to Los Angeles, had your wife said anything about a property settlement to you?

A. No, sir.

Q. She never told you before you got there?

A. No.

Q. Had her brother said anything to you before you got to Los Angeles?

A. No, but he told me in Los Angeles. [166]

Q. Had anyone said anything to you before you got to Los Angeles?

A. Nothing before I got there.

Q. Did you, when you got to Los Angeles, ever ask your wife to go through a church ceremony there?

A. Yes, I did. I told her to go through as quick as possible because I have to go to work.

Q. Did you put any conditions on her? Did you say she'd have to do anything for you to do that?

A. I told them to make it as soon as possible so I can go to work. I couldn't stay one year. And they said we got lots of time.

Q. You just required that you make it as soon as possible. You didn't tell her she'd have to have any dowry for you? A. No, sir.

Q. Did you ask her to promise you anything?

A. No, sir.

Q. Did she refuse to go through a church cere-

Exhibit No. 13—(Continued)

mony with you unless you furnished these requirements that she asked? A. That's right.

Q. All that time that you were in Los Angeles, did you ever ask your wife to come and live with you as husband and wife? A. I did.

Q. Do you remember where you asked her that?

A. Where?

Q. Was it while you were riding?

A. I asked her on the telephone and I asked her riding in the car.

Q. And she refused to come?

A. She said, "I never will come to live with you except you put the requirements."

Q. Did you ever tell her that she was your wife and that you would like to have sexual relations with her and live as man and wife?

A. Yes, I did.

Q. Did she agree or refuse? A. Refused.

Q. When did you tell her this and where were you?

A. When I was at the railroad station and I was calling her. I said, "Do you want to go out today, tomorrow?" And she said, "I'm not going out." I said, "You know you are married to me and you are my wife?" And she said, "That was no marriage; that was not even an engagement."

Q. Was there any other time this happened?

A. Another time from my brother's house on the telephone. [167]

Q. I now show you Exhibit 8, dismissing without

Exhibit No. 13—(Continued)

prejudice a suit between John Petros Fitsos and Basiliki Andre Petros and ask if that John Petros referred to is you. Are you the person who requested the dismissal of the suit?

A. (Examines Exhibit 8): Yes.

Q. After you married your wife, until such time as you filed suit for annulment, did you really want to live with her as man and wife?

A. Yes, sir.

Q. You were in love with her and wanted to live with her?

A. Yes, but after she put that requirements I lost interests.

Q. Were there any other reasons why you wanted an annulment other than the reasons stated; that she wouldn't live with you?

A. That was the reason, the requirements, and I didn't like that she told me in the United States. And I told her if she wrote me from Athens I wouldn't have gone to all that trouble.

Q. The reason for the annulment was that she wouldn't live with you as man and wife?

A. That's right.

Q. You wouldn't have filed if she would live with you. Is that right?

A. That's right.

Q. Why did you decide to meet her in the Bahamas? Why didn't you go to Greece to marry her?

A. That was from the beginning quicker.

Q. You could do it quicker by her coming to the Bahamas and—

A. And I thought it was the best way. That's

Exhibit No. 13—(Continued)

the way her brothed advised, to bring her over to the Bahamas.

Q. Who first suggested that you go to the Bahamas? A. Her brother.

Q. Before that did you agree to meet any other place?

A. She was supposed to come to Montreal.

Q. Whose idea was that? A. It was mine.

Q. Why didn't she come to Montreal?

A. She couldn't meet the immigration requirements.

Q. What immigration requirements couldn't she meet?

A. Her brother, when he was in Athens, went to the Canadian Embassy and said, "I'm an American citizen and I'm leaving in ten days for the United States and I'd like my sister to ride with me on the same plane." The Canadian Embassy got wise and said, "You're from the United States and if your sister goes to Montreal and she's not a citizen of the United States." So they dropped the [168] case.

Q. How much money did her brother give you?

A. \$300 first, and \$200 later on to help on the expenses.

Q. Is that all the money he gave you?

A. That's right; to help on the expenses.

Q. Did he agree to give you more money later on when his sister came here? A. No.

Q. Was it your full intention when you sent for this girl and had her come to the Bahamas to live

Exhibit No. 13—(Continued)

as man and wife, or was it your idea to get her over here for an annulment?

A. To live with me as my wife but not with the requirements.

Q. Were you ever engaged to any other girl to get married before this? A. No, sir.

Q. Why did you dismiss the annulment suit?

A. On account my lawyer advised me it's going to cost a lot of money; that I was going to pay her lawyer and the courthouse and me.

Q. Did you fight the suit in Las Vegas?

A. I was here and they sent me papers to sign it.

Q. And you agreed to it?

A. I agreed to it.

Q. Did her brother pay you any money at that time? A. No.

Q. Did she pay you any money? A. No.

Q. Did you pay her any money?

A. No, sir.

Q. When was your divorce from your first wife final? A. 9 September, 1950.

Q. When did you marry your second wife?

A. March 4, 1951, in Greece.

Q. Where did you meet your second wife?

A. In little place in Greece.

Q. Did you go over there with the intention of marrying your second wife? A. Yes, sir.

Q. Did you know her before you left the United States? A. No, sir.

Q. How did you know you were going there to marry her, if you didn't know her?

Exhibit No. 13—(Continued)

A. I went by introduction by friend, by a cousin of mine. He knew the family and introduced [169] me.

Q. Where did your cousin live?

A. In Athens.

Q. Did he write and tell you about her before you went over?

A. Not exactly; it was mentioned something, but not clear.

Q. Did you know the girl before you left the United States? A. No, sir.

Q. Did you know her name before you left the United States? A. No.

Q. Had you ever heard of her? A. No.

Q. You have stated that you planned to marry this girl before you went over. How did you plan to marry her if you didn't know her name or hadn't heard of her?

A. I went to marry anybody. When I find somebody like me and I like her. Then I was introduced about five weeks before we got married.

Q. Then you brought your wife back here?

A. I didn't bring her here.

Q. She isn't over here? A. No.

Q. Then you came back to the United States?

A. Yes.

Q. When did you come back?

A. 14 December, 1951, because I was waiting for a visa on account of she was in a family way.

Q. Have you made an application to have your wife come to the United States now?

Exhibit No. 13—(Continued)

A. Yes, since the 10th of March, 1951.

Q. You say your wife is now in a family way?

A. Yes, sir.

Q. How soon do you expect a family?

A. Should be about the 22nd of March.

Q. Examining Officer to Deportation Examiner: At this time, Mr. Examiner, I wish to offer in evidence Question & Answer Statement dated September 14, 1950, marked Exhibit 11, and Question and Answer Statement dated January 12, 1951, marked Exhibit 12.

A. They are received in evidence——

Counsel Interposes: I have some objections to make as to questions contained in them. The answers to some of them were definitely hearsay. [170]

By Examining Officer: I might say I want to introduce them purely for the purpose of identification. I have no objection to you cross-examining the witness on either one.

By Counsel: I want to prevent parts of them from becoming part of the record where they can be observed by anyone who is going to render a decision on this matter because the answers to some questions are entirely hearsay in some cases.

Q. Deportation Examiner to Counsel: They are statements made to an Officer of this Service which he has identified? A. That's correct.

Q. The statements are properly admissible as statements made by the witness which he has identified. The purpose of the deposition is to afford you

Exhibit No. 13—(Continued)

an opportunity to examine the maker of the statements.

A. Also to object to any questions which might have been asked. After all, there wouldn't have been any purpose in having the opportunity to examine them if I couldn't object. I have no objections as far as the identification of the statements is concerned, but I do object to the contents of the answers of certain questions. There's about four questions to which I object to very strenuously. The questions on the two exhibits have been numbered by pencil and I would like to reserve objection to Question No. 28; the answer there is not responsive; and the answer to No. 29 is opinion; and, as to Question No. 110 of the second statement, the answer contains considerable hearsay testimony. That's all as far as objections are concerned.

Q. Exhibits 11 and 12 at the Hearing in the case are made part of the record in this case as Exhibits "B" and "C," respectively, and the objection of Counsel is overruled.

A. Exception, please, in the record.

Q. Exceptions noted.

Mr. Reynolds, have you any questions you wish to ask the witness?

A. Yes, I have; however, I would like to request an adjournment at the present time until Thursday, February 7th.

Q. The examination is adjourned until 10:00 a.m., February 7th.

Exhibit No. 13—(Continued)

(Proceedings adjourned at 3:20 p.m.)

/s/ E. A. BLOBERGER,
Deportation Examiner.

I certify the foregoing pages, 1 to 17, inclusive, to be a true and correct transcript of my shorthand notes.

/s/ CHARLES RYAN. [171]

Deposition of John Peter Fitsos
(Resumed)

Date: February 7, 1952, 10:00 a.m.

Place: Washington Field Office.

Deportation Examiner: E. A. Bloberger.

Examining Officer: Wm. P. Kilmain.

Stenographer: Charles H. Ryan.

Deponent: John Peter Fitsos.

Interpreter: Peter Monocrusos, 811 14th St., Washington.

Counsel for Respondent: Robert T. Reynolds.

Proceedings Conducted Through Greek Interpreter

Deportation Examiner to Interpreter:

Q. Will you please stand and raise your right hand? (Complies.) Do you solemnly swear that you will, to the best of your ability, interpret from English into Greek and from Greek into English

Exhibit No. 13—(Continued)

the questions asked and answers given during the course of this proceeding, so help you God?

A. I do.

Q. (Deportation Examiner to Deponent): Will you please state your full, correct name?

A. John Peter Fitsos.

Q. Are you the same person who appeared for the purpose of making a deposition at this office on February 4, 1952?

A. Yes, I am.

Q. Will you please stand and raise your right hand? (Complies.) Do you solemnly swear that the statements you are about to make will be the truth, the whole truth, and nothing but the truth, so help you God?

A. Yes.

Deportation Examiner to Counsel: Mr. Reynolds, you may proceed with your examination.

Q. (Counsel to Deponent): Mr. Fitsos, do you have any brothers and sisters in Greece?

A. No, sir.

Q. Do you have any brothers or sisters in the United States other than George in Los Angeles?

A. I got George, and a sister married in Malone, New York.

Q. What is the name of your sister in Malone, New York?

A. Mrs. George Smerlis. [172]

Q. Was your sister in New York married in Greece or in the United States?

A. United States.

Q. Are your parents still living?

A. My father died here in about 1934. My mother died in Greece in 1917.

Exhibit No. 13—(Continued)

Q. Your mother and father were married in Greece? A. Yes, sir.

Q. Were they married in the Greek Church?

A. Yes, sir.

Q. Was your sister married in the Greek Church?

A. No, they married by Greek preacher, but not in Greek Church.

Q. In other words, they were married according to the rite, or ritual, of the Greek Orthodox Church? A. Yes.

Q. Did your brother, George, marry a girl of Greek descent?

A. He marry American girl and they married in civil court.

Q. Are you a member of the Greek Orthodox Church, yourself? A. Yes, sir.

Q. Do you consider yourself a member in good standing of that church?

A. Yes, I believe I am. And, for me, was just the same to marry like I was married there.

Q. Let me ask you, according to the beliefs of your church, is it a sin to live in a marital state outside of a marriage by the Church, itself, with a person of the same faith? In other words, according to the doctrines of your church, are persons of the Church, married civilly, living in sin?

A. Same thing.

Q. You haven't answered my question. I asked you if, in your opinion or belief, they are living in sin.

Exhibit No. 13—(Continued)

A. If I was married like a—I married the girl in civil marriage it was just as good as—

Q. Are you married to your present wife according to the rites of the Greek Orthodox Church?

A. Yes, sir.

Q. In your correspondence with your first wife, with your brother, George, and with her brother, Ted, was it not agreed prior to your marriage in the Bahamas that you would again be married in the Greek Church in Los Angeles?

A. Well, I offered to marry there.

Q. I asked you, was it not agreed in advance; yes or no?

A. My brother had nothing to do with it but I offered— [173]

Q. I asked you if it was agreed in advance, or was it not?

A. I don't know if they had an agreement.

Q. You would know whether you had agreed in advance, wouldn't you?

A. I offered to marry in Bahamas.

Q. Did you, or did you not, agree to marry her in Los Angeles? Did you agree with any one of them; your wife, Ted Giannoulis, or your brother—did you agree with any of them on that before you went to the Bahamas? A. No.

Q. Mr. Fitsos, under oath on September 14, 1950, you made the following statement:

“Her brother had told me we could get married in Los Angeles. I told him we could get married in the Greek Orthodox Church in Nassau and he re-

Exhibit No. 13—(Continued)

fused me that, and that is why I believe he was planning to bring his sister to the United States * * *”— A. That's true.

Q. I haven't asked you a question yet. Do you recognize that this shows that you had discussed this matter with her brother prior to the marriage in Nassau?

A. I offered him to get married in Nassau the cheapest and quickest way and then he said, because he had some relatives—

Q. Then you did agree that you would marry the girl in Los Angeles prior to the time you were married in Nassau?

A. That was before we got married in Nassau.

Q. And then you had this discussion with the brother? A. You asked me—

Q. Before you went to Nassau, did you agree that you would marry Basiliki Andre Giannoulis in Los Angeles in the Greek Orthodox Church?

A. I didn't give no promise to marry there. When we got in Nassau—

Q. Before you went to Nassau. The answer should be "yes" or "no."

A. Not before; after we got married in civil marriage.

Q. Before you went to Nassau, did you understand that your prospective wife, Basiliki Andre Giannoulis, and her brother, Ted Giannoulis, expected you to marry her in the Greek Church in Los Angeles?

Exhibit No. 13—(Continued)

By Examining Officer: I have to object to that. It's just the same question.

By Counsel: I want to know if he agreed to it. I'm trying to phrase this clearly.

By Examining Officer: All right.

Q. Is the question clear, Mr. Fitsos? [174]

A. I'm trying to say——

Q. If you know the question, answer it. I want a "yes" or "no."

A. I know from Mr. Giannoulis to marry in Nassau and he refused and said in Los Angeles. The answer to the question is no. I didn't know it.

Q. When, exactly did you learn that your wife, your first wife, Basiliki Andre Giannoulis, expected you to marry her in Los Angeles in the Greek Orthodox Church?

A. After I got married in the civil marriage * * * in civil court.

Q. Were you still in the Bahamas when you learned that? A. Yes, in the Bahamas.

Q. You were prepared to marry her in Los Angeles in the Greek Orthodox Church when you left the Bahamas? A. I was ready, yes.

Q. Were you prepared to marry her in that church when you reached Los Angeles?

A. Yes, and they refused me and said, "You got lots of time."

Q. Did you go to any priest of the Greek Orthodox Church to make arrangements for such marriage?

Exhibit No. 13—(Continued)

A. No, because they said we got lots of time and they wanted to do it after September.

Q. Did you make any provision for a residence for your wife in Los Angeles? Did you take an apartment, rent a house, take a hotel room, or—

A. I offered to do it and she said she won't do nothing until I put the money down in her name in the bank and buy apartment house and then she marry me. I offered to rent an apartment and she don't want to live in apartment.

Q. Did you make any effort to visit your wife at her brother's house in Los Angeles during your stay there for three or four months, or whatever was the period you stayed there?

A. She refused to see me. I told her to go out and she refused me and said, "I won't go out until you put the money and the furnitures and the automobile."

Q. Other than serving the process in the annulment suit, did you ever call at her house to see her?

A. I did call.

Q. You called on her at that time?

A. Yes, sir.

Q. On what occasion did you call at the house other than serving the process of the annulment suit?

A. I went once. One time I went there and nobody was in the house; and then I called from my brother's house and then she refused to go out before we get what she wants. [175]

Q. Do I understand that you asked to come to

Exhibit No. 13—(Continued)

see her at her brother's house and that she refused to see you? A. Nobody was there.

Q. I thought I understood that you called her on the phone?

A. I called her on the telephone.

Q. Did she refuse to let you come and see her at her brother's house?

A. And she refused to go out until I put the money to buy the house and I told her to come to Washington, D. C., and I can go in business and rent an apartment out and she said, "What are you going to do with me in Washington, put me in the whorehouse, put me in a bad place?" And I said to her, "I never was in that kind of business in my life. I never expected to hear that kind of a word from you."

Q. You have testified, as I understood from that answer, that she would not go out with you. Now, I ask you again: Did she refuse you permission to come and see her, and did she tell you not to come and see her at her brother's house?

A. No. She said, "I won't go out with you." She refused me.

Q. Now, Mr. Fitsos, on February 4th, in the question made to you by Mr. Kilmain, he said: "Did she tell you not to come and see her?" And you answered: "She didn't mention nothing like that." Now you say she refused to see you——

A. I was calling on the telephone.

Q. Which one of those answers is correct? Did

Exhibit No. 13—(Continued)

she refuse to let you come to see her at her brother's house?

A. He refused to let me come to the house and talk to her.

Q. I understand that your wife made certain demands upon you * * * your wife, Basiliki Andre Giannoulas * * * before she would go through with the ceremony in the Greek Orthodox Church, and that you discussed those demands with her and her brother and his wife the first time. Is that correct?

A. Yes, sir.

Q. And that later the discussion was continued at your brother's house? A. Yes.

Q. In the presence of your brother and his wife, her brother and his wife, your wife, and yourself?

A. Yes.

Q. Did your brother, George, actually participate in these discussions? A. Yes.

Q. Did your brother, George's wife, also participate in these discussions?

A. She can't understand Greek.

Q. I call attention to the question and answer on Page 12 of the interrogatory of February 4, 1952, in which you were asked by Mr. Kilmain:

“Q. When you later on discussed it at your brother's house, did your brother and his wife say anything? [176]

“A. My sister-in-law and my brother said, ‘They are married.’ They say to them, ‘Why don't you ask John?’ while my wife was in

Exhibit No. 13—(Continued)

Athens. 'Why don't you write from Athens before you reach the United States? Why don't you ask to him before you come to this country? Why you come here? To rob the man, or to marry a good person, a good hard-working man?' "

It appears that your sister-in-law did participate in those discussions.

A. My sister-in-law talked with Ted's wife. They are both Americans and don't understand Greek and my brother talked to Ted who understands Greek. That's the way I understood the answer. That's the way it goes.

Q. You have testified that Ted Giannoulis gave you money toward the expense of your trip to meet his sister, or for some purpose?

By Examining Officer: I object to that. He hasn't testified that he gave him money to meet his expenses.

By Counsel: I'll change the question.

Q. You have testified that Ted Giannoulis paid you some money? A. Yes, sir.

Q. What amount did he pay you?

A. He give me \$300 first; and then two \$100 American Money Order Express; one in Nassau, and one to New York, to help with his sister's ticket to come from Greece.

Q. You are absolutely positive that that is the way it was?

A. Five hundred dollars to help with his sister's

Exhibit No. 13—(Continued)

ticket to bring from Greece.

Q. I will call your attention to answer to a question in a statement under oath on September 14, 1950, page 4, where you were asked:

“Who paid for her ticket from Greece to Nassau?”

And you responded:

“Her brother sent me \$400 and another \$100, and I sent Klonaris in Nassau \$563.80 for the ticket from Greece to Nassau for my wife.”

Your memory has improved.

By Examining Officer: I object. That's the same.

By Counsel: This time he said \$300 before he went; \$100 in Nassau; and \$100 in Malone.

By Examining Officer: He didn't say how he received it before.

By Counsel: It's quite apparent that he had all this prior to the purchase of the ticket to Nassau. I'm just calling attention to that discrepancy. My purpose is to show [177] that this man's memory isn't so good.

A. I say \$300 the way he give it to me.

Examining Officer: You said \$500. That agrees.

Deportation Examiner: Objection overruled.

Q. After your marriage to Basiliki Andre Giannoulas at the Bahamas, do I understand that you spent, or remained, one night in the same room with separate beds?

A. Yes, sir.

Q. Only one night?

A. Yes, sir.

Exhibit No. 13—(Continued)

Q. I draw attention to a series of questions and answers in the Statement under Oath on September 14, 1950, made by the Deponent present. On page 3:

“Q. You were married in Nassau on March 27, 1950, and were there with your wife until April 14, 1950. During that time did you and your wife live together? A. No.

“Q. Where did she stay during that time?

“A. We stayed in the same building, an apartment house, across from Klonaris' place, but in separate rooms, sometimes in the same room, but separate beds.”

What was the name of the town in Greece where you met your second wife * * * your present wife?

A. Kamari.

Q. What was her maiden name?

A. Adamopolous.

Q. How did you come to meet your present wife?

A. Cousin of mine introducing. I'd say less than five weeks before we got married.

Q. Had you ever heard of that girl before that introduction?

A. No, because I'm here thirty-one years in the United States and I didn't meet her before.

Q. Where was your brother-in-law, Smerlis, born? A. Kamari, Greece.

Q. That's the same town that your present wife came from? A. Same town, that's right.

Q. When you went to Malone, New York, after

Exhibit No. 13—(Continued)

leaving Miami, Florida, in 1950, to visit your brother-in-law, Smerlis, was he preparing to make a trip to Greece? A. Yes. [178]

Q. Did he thereafter make a trip to Greece?

A. He went to Greece to visit his mother.

Q. Did he go to the town of Kamari?

A. That's where she lives, his mother; yes.

Q. Had your brother-in-law, Mr. Smerlis, returned to the United States before you, yourself, went to Greece? A. Yes, sir.

Q. Did you see him, or correspond with him, or talk to him on the telephone at any time after his return from Greece and before your journey to Greece?

A. I see him at Malone. I went there on account of immigration in Malone.

Q. At any time did Mr. Smerlis write to you the name of, or mention to you the name of the girl that you are presently married to? A. No sir.

Q. Do you know whether he knew that girl in Kamari?

A. I guess he knew. I don't know; I can't say.

Q. Did you and Mr. Smerlis at any time discuss the possibility of your marrying a girl in Kamari, Greece? A. No, sir; never did.

Q. Did you discuss it with your sister, Mr. Smerlis' wife?

A. No, sir; she never been there. She don't know the place.

Exhibit No. 13—(Continued)

Q. Do you know how long your brother-in-law, Mr. Smerlis, remained in Greece, approximately?

A. How long he stayed in Greece? I believe he stayed around less than thirty days.

Q. Is your cousin in Athens any relation to Mr. Smerlis? A. No, sir.

Q. Is he friendly with Mr. Smerlis?

A. He don't know the person.

Q. Doesn't know him?

A. He went there but the man was busy.

Q. You, yourself, come from Greece, do you not, Mr. Fitsos? A. Yes, sir.

Q. What town did you come from?

A. Pyrgos.

Q. Are they near each other?

A. No, sir; about 200 miles.

Q. Where did you go first when you went to Greece?

A. I get off at Poros (phonetic) and went to Athens. There was a cousin of mine, a lady, she's a widow, and my cousin and his brother, [179] Chris, and the lawyer was down in Poros where the ship—the port.

Q. How soon after you arrived in Athens did you go to Kamari?

A. I'd say about four or five days.

Q. Four or five days? A. Just about.

Q. Do you have any relatives, yourself, in Kamari?

A. No, sir; except my brother-in-law's mother and then I met another brother, Louie, and his wife.

Exhibit No. 13—(Continued)

Q. Do you have any relatives at all in Pyrgos?

A. No, sir.

Q. You didn't go to visit Pyrgos at all?

A. I pass by one time—couple of times or so.

Q. Do you know the circumstances of your cousin's acquaintance with your present wife in Kamari—how she came to know your present wife in Kamari?

A. The man, he sells trucks, cars, tires—

Q. Your cousin?

A. Yes, and he is just like a dealer. He pass through once a month. He knows her there and, you know, it's just small town. I don't know what more I can say.

Q. In your answers to Mr. Kilmain's questions on February 4th, on Page 16, he asked: "Where did your cousin live?"

And you answered, "In Athens."

He asked, "Did he write and tell you about her before you went over?"

Your answer was: "Not exactly. It was mentioned something but not clear."

I'd like to have that made a little more clear, Mr. Fitsos. Did your cousin write to you before you went to Greece? A. Yes.

Q. Did he mention this girl in Kamari?

A. I don't know, personally, if he mentioned. I don't know who it was.

Q. Did he mention your brother-in-law, Mr. Smerlis', visit to him?

A. He mention to me in letter he went to his

Exhibit No. 13—(Continued)

office but he didn't wait and he wants to, like he tole me, he didn't wait for me to take him home for a visit to have a dinner home.

Q. Did your cousin in Greece mention to you that Mr. Smerlis spoke of a girl in Kamari whom you are presently married to?

A. He never did. [180]

Q. Mr. Fitsos, you have testified in several of these interrogations, including the last one, that you received a picture of Basiliki Andre Giannoulis before you went to Nassau to marry her.

A. Yes, I did.

Q. From whom did you receive that picture—who sent it to you?

A. Ted Giannoulis.

Q. Do you have that picture?

A. I ain't got it with me; I don't think I got it.

Q. Did the picture reveal to you a fairly nice looking girl?

A. Same thing as the passport; nothing extra.

Q. You mean the picture that you saw of her was taken at the same time that you corresponded with her?

A. Yes.

Q. You never testified that it was taken some ten years before?

A. It was the same thing; the same face.

Q. I asked you if you ever testified under oath that the picture was taken some ten years before you saw it.

A. It was three years, I believe; or maybe ten.

Exhibit No. 13—(Continued)

I don't know what it was but was signed same thing as the picture on the passport papers.

Q. I don't doubt that it was a picture of the same woman but what I have in mind is whether you felt—I'll divert for a second to read an answer from Page 4 of the Question and Answer Statement under oath on September 14, 1950, by you.

You were asked: "How did you happen to learn about your wife?"

In part, you answered: "——later I corresponded with her brother and my brother advised me that it was good people and go ahead and bring her over. But the picture they gave me was about ten years younger." A. That was my answer.

Q. In other words, you believe they misled you a little. Is that it?

A. The whole works was from me. I went with good intentions and married her. It was the same; I wasn't complaining for anything. No, I don't think so; I know what I got. Maybe I felt I was fooled. That's what I was say. I was fooled but I still was satisfied and went through with it.

Q. Now, Mr. Fitsos, honestly, the fact that you had been fooled a little bit in regard to the age of your bride, and her later requirements, combined to destroy your love for her. Is that correct?

A. Well, she was the reason. She was the person to be blamed, because I went to Los Angeles with good intentions to be married but, after she put

Exhibit No. 13—(Continued)

up \$5,000 and apartment house with five family and automobile and all that, I thought I do her a favor to bring her here from Greece to marry her. And then when she said, "If you don't put all those things [181] down I won't marry you in the Greek Church." That make anybody—

Counsel Interposes: I have no further questions.

Q. (Deportation Examiner to Examining Officer): Did you have any questions, Mr. Kilmain?

A. I think I may have one question.

Q. (Examining Officer to Deponent): When you went to Los Angeles, if your wife, whom you married in a civil marriage, had been agreeable to marrying you in the Greek Orthodox Church without any requirements, as mentioned in previous reports, would you have gone ahead and married her in the Greek Orthodox Church? A. Yes, sir.

Q. Did you want to do that?

A. I want to do that. That's why I went there.

Counsel Interposes: I'd like to ask one more question and get a "yes" or "no" answer.

Q. (Counsel to Deponent): Did you make any arrangements in Los Angeles with any official or priest of the Greek Church to marry Basiliki Andre Giannoulis?

A. No. Now I want you to understand why I say "No." I talk to her brother and to Basiliki. I said, "By gosh, I been suffering with this marriage since September, 1949, when I met your brother to go

Exhibit No. 13—(Continued)

through the Greek Orthodox Church. Now, when we expect to get married?" And she said, "I got lots of time; I'm not in a hurry." I said, "Why you got lots of time?" I got to tend to my business and work. "I'm not in a hurry," she says; and then she put it through to get her American citizen papers.

Q. (Examining Officer to Deponent): She made no definite date with you for a marriage?

A. That's right. The 27th of April I was there, after we got married in Nassau, and they mention September. We got lots of time before.

Q. (Counsel to Deponent): They mentioned September, though?

A. But what date in September? "We don't know. It take us long time to fix the wedding gown."

Q. (Examining Officer to Deponent): Was that only on the condition, that you meet these requirements she put up to you? Was that on condition you furnish the \$5,000, the apartment house, the automobile, etc.? [182]

A. She wants that before we set the date; the car, the apartment, the dollars, and then they going to set the date.

Q. (Deportation Examiner to Examining Officer and Counsel): Are there any further questions?

A. (Examining Officer): Not by me.

Q. (Deportation Examiner to Deponent): Did you fully understand the questions that were asked

Exhibit No. 13—(Continued)

you? A. Yes, I did.

Q. Thank you, very much. The proceeding is closed.

(Closed at 11:20 a.m.)

/s/ E. A. BLOBERGER,
Deportation Examiner.

I certify the foregoing pages, 1 to 29, inclusive, to be a true and correct transcript of my shorthand notes taken during this proceeding.

/s/ CHARLES H. RYAN,
Shorthand Reporter. [183]

EXHIBIT No. 14

Standard Form No. 64

Office Memorandum, United States Government

A-7451818(T) Inv.

Date: March 21, 1952.

To: District Director, Los Angeles, California.

From: W. F. Kelly, Assistant Commissioner,
Enforcement Division, Central Office.

Subject: Your A-7451818; Baisiliki Andrew
Giannoulis aka Basiliki Andrew Fitsos.

There are attached for your information copy of a memorandum from the Department of State, dated

February 5, 1952, and copy of the OMV from the American Embassy at Athens, Greece, dated January 25, 1952, relating to the above-named alien.

/s/ W. F. KELLY.

Attachments. [184]

February 5, 1952

In reply refer to
VD 150 Giannoulia, Vasiliki A.

Attention: Immigration and Naturalization Service.

The Secretary of State refers the Attorney General to a communication, dated October 16, 1951 file A-7451818-T), and its enclosure, from the Immigration and Naturalization Service concerning the case of Vasiliki (Basiliki) Andre Giannoulia (Giannoulas), also known as Basilike Andre Fitsos, who is the subject of deportation proceedings. The letter under reference requested that information be obtained from the American Embassy at Athens with respect to the allegation made by the alien that she had been an applicant for an immigration visa at that office for approximately fourteen years prior to her entry into the United States.

There is enclosed a copy of a communication, dated January 25, 1952, which has been received from the Embassy at Athens furnishing informa-

tion contained in the files of that office with regard to the matter.

Enclosure:

From Embassy, Athens,
OMV-304, January 25, 1952. [185]

For Visa Division

Foreign Service of the United States of America
Operations Memorandum

Security: Unclassified.

To: Department of State.

From: Amembassy, Athens.

Ref: Dept's OMV-231, dated January 10, 1952.

Subject: Visas: Case of Vasiliki A. Giannoulia, also known as Basiliki Andre Fitsos.

Records of this office show that Miss Giannoulia filed a visa application prior to the war. In accordance with Department instructions all pre-war lists were destroyed. Miss Giannoulia did not re-apply for an immigration visa until September 10, 1947, at which time her name was re-registered as number 6,483 on the non-preference waiting list.

On November 19, 1948, this office notified Oscar Richard Cummins, Attorney at Law, 9441 Wilshire Blvd., Beverley Hills, California, who was acting on behalf of Mr. Theodore Giannos, Miss Gian-

noulia's brother and sponsor, of the facts. A portion of this letter is quoted:

“I am obliged to inform you that the Greek quota is heavily oversubscribed even in the preference categories, and those applicants having first and second-preference status naturally take precedence over those having non-preference status. In view of the fact that there are more than 6,000 persons registered in Athens alone who are entitled to prior consideration because of their earlier application, it appears likely that Miss Giannoulia may experience a waiting period of indeterminate duration before final action can be taken on her application.”

The fact that no regular Greek quota non-preference numbers have been available for use since 1945 and the fact that there are 6,482 applicants registered on the regular quota waiting list in this office alone ahead of Miss Giannoulia should be sufficient rebuttal for her statement that “just prior to her entry into the United States on April 13, 1950, been advised by the American Consulate at Athens, Greece, that such visa would in the very near future be available for her.”

Unclassified. [186]

EXHIBIT No. 15

[Check]

16-141 Eighth and Vermont Branch 16-141

Bank of America
National Trust and Savings Association

Los Angeles, Calif., March 24, 1950.

Pay to the Order of Basio Giannoulia, \$100.00.
One Hundred Dollars.

/s/ THEODORE GIANNOS.
15, Identification.

[Back]

[Endorsed]: /s/ BASIO YANNOULIA,
/s/ S. KLONARIS.

[Stamped]: Paid. [187]

The first part of the book is devoted to a general history of the world, from the beginning of time to the present. The author discusses the various civilizations that have flourished on the earth, and the progress of human knowledge and industry. He also touches upon the political and social changes that have shaped the modern world.

The second part of the book is a detailed account of the history of the British Empire, from its early beginnings in the 16th century to its decline in the 20th century. The author describes the expansion of British power across the globe, and the impact of the Empire on the world.

The third part of the book is a study of the various nations and peoples that have been part of the British Empire. The author discusses the history, culture, and politics of these nations, and their relationship with the Empire.

The fourth part of the book is a history of the world from the 19th century to the present. The author discusses the various events and movements that have shaped the modern world, including the Industrial Revolution, the World Wars, and the Cold War.

The fifth part of the book is a study of the various nations and peoples that have been part of the British Empire, from the 19th century to the present. The author discusses the history, culture, and politics of these nations, and their relationship with the Empire.

The book is a comprehensive and detailed history of the world, and of the British Empire. It is a valuable resource for anyone interested in the history of the world, and of the British Empire. The book is written in a clear and concise style, and is easy to read. It is a must-read for anyone who wants to understand the world we live in today.